

Scrapbook

Book
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Samantha Page, caretaker of Lee Manor, chides resident Roger Berube for attempting to read the newspaper without his glasses. Joel Librizzi / Berkshire Eagle Staff

'This place runs on love'

Lee Manor gives comfort to forgotten vets

Eagle 11/10/92

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — If Lee Manor resident Roger Berube, 63, forgets to put on his glasses before checking out the sports scores in the newspaper, he has Samantha Page to deal with.

"Where are your glasses?" Page admonishes, leaning over the table where he is sitting with the paper. "We just spent \$200 buying you a new pair of glasses, and I don't want to see you reading without them."

If Al Ledoux, 67, is catching the bus for town on a snowy day, Page is there to see him off.

"Are you going downtown?" she asks, zipping his coat with a maternal air. "Now honey, please be home for supper. Promise?"

"Promise," says Ledoux, who at age 18 fought in the battle of Iwo Jima.

"If it starts to snow bad, you come back early," she instructs. "Promise?"

If Frank Chamberlain, 45, a former Air Force mechanic with a history of depression, is feeling low, Page can tell and will spend some time talking with him.

For the past five years, Page has been chief caretaker, morale

booster, medicine dispenser and resident manager of Lee Manor on East Street, one of the largest homes in Western Massachusetts for disabled veterans, many of whom developed mental illnesses during their service with the armed forces.

As Page explains it, they aren't capable of working and their families aren't able to take them in. The oldest of the 23 men is 84; the youngest 34. There are wartime vets and peacetime vets.

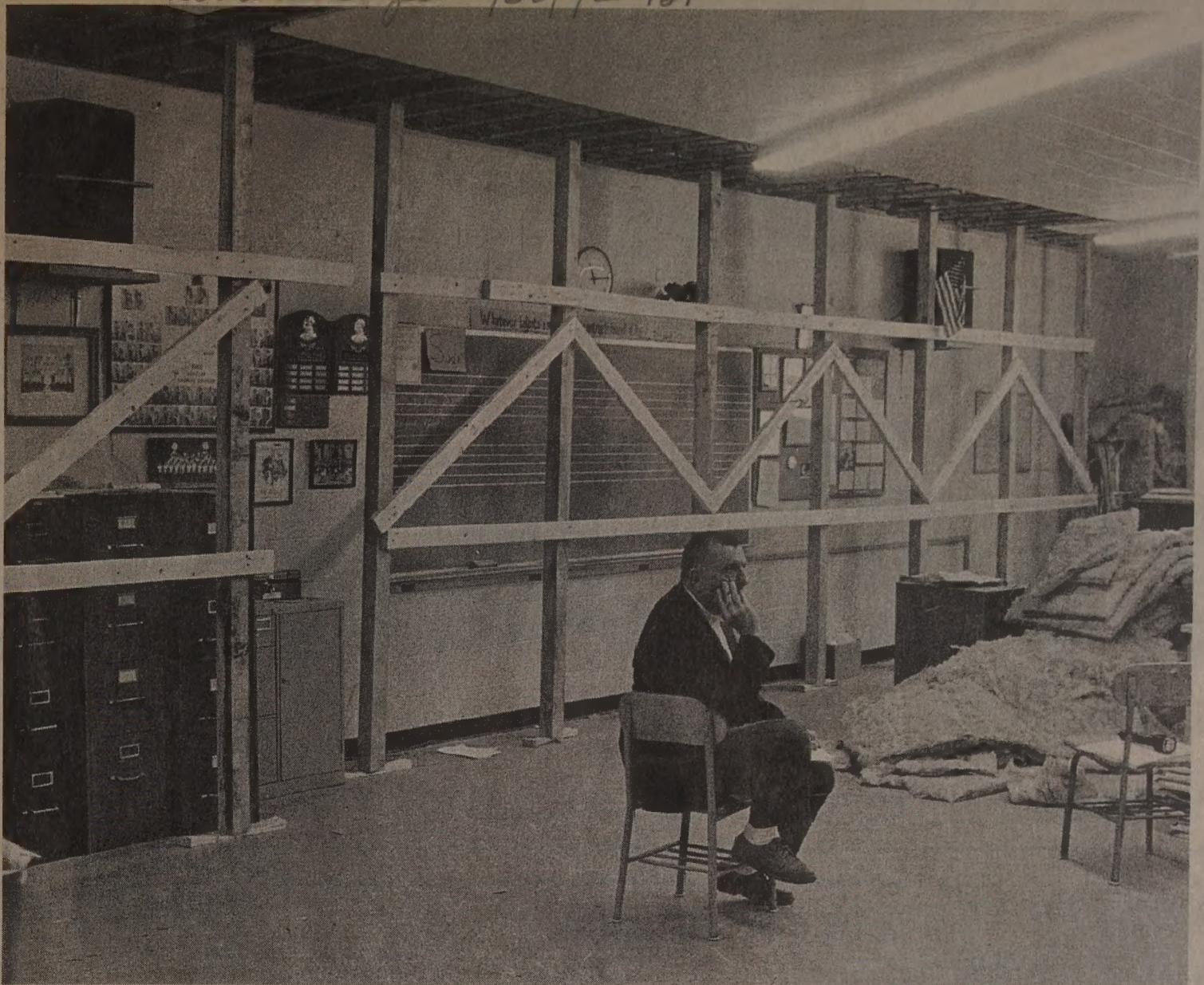
Most have spent years in and out of the psychiatric wards of veterans hospitals and now live in places like Lee Manor — although the residents who have moved around will tell you there is no other home quite up to Lee Manor's standards because of Page.

"This place runs on love," said Chamberlain, who has lived there most of the past 15 years. "You can do something wrong and you'll get heck for it, but 20 minutes later she'll forget about it. She doesn't hold a grudge."

"This is a nice place for people who need help and an extra shove every day from Samantha," said Billy Killeen, 41, who served in the Army in Fort Knox, Ky., during the Vietnam War and has spent about half of his last 22 years in hospitals. He

VETERANS, continued on B3

Berkshire Eagle 12/30/92 B1



Photos by Joel Librizzi / Berkshire Eagle Staff

Lee School Superintendent Henry T. Zukowski watches inspectors checking roof damage in the music room, where the roof has been shored up by timbers.

Welders fixing Lee High roof

By Gerald B. O'Connor
Berkshire Eagle Staff

LEE — Workers from the Berkshire Bridge & Iron Co. of Dalton welded heavy angle irons into sagging steel roof supports at Lee High School yesterday as the emergency effort to stem further roof settlement moved ahead for the eighth day.

The welders were working along the rear of the school's central hallway where the roof supports, called bar joists, rest on the concrete-block wall.

Some of the joists there and at two other points along a north-south line of load-bearing walls in the front section of the single-story school were discovered during the past week to have become compressed, letting the roof settle anywhere from one-half to 2 inches off its original horizontal line.

The settling — or deflection, as some call it — “is very strange,” said James D. Gralla, administrator of buildings and grounds. “We’re really fortunate we didn’t have a disaster.”

As it is, the school has lost

ROOF, continued on B4



James Esoldi, left, and William Rapkowicz weld additional supports onto the bar joists — one of which can be seen between them at head level — which support Lee High School's flat roof. This is in the main hallway.

Welders reinforce sagging roof joists at Lee High School

■ ROOF, from B1

three days of classes because of the discovery of the roof settlement Dec. 18 and the subsequent decision by the town's building inspector, Robert W. Lester, with concurrence of town officials and representatives of an architectural and a structural engineering firm, to order the building closed.

Reopening date uncertain

Whether the school will reopen Monday, Jan. 4, as the schedule dictates, remained an unanswered question yesterday. Superintendent Henry T. Zukowski said that it's a question he wants answered, too, but that he expects he will have to wait a while longer to find out.

A state building inspector is slated to come to Lee today to look over the school and its roof joists, a necessity, said Town Counsel Jerome J. Scully, when an emergency occurs that may result in an application for state financial assistance.

The state inspector, he and Zukowski said, will presumably confirm the closure order. Whether he will then become the official who will say when the building can be reopened was unknown.

Meanwhile, an engineering report telling Lee officials what really is wrong with the roof, how extensive the problems are and what presumably must be done to achieve lasting repair won't be forthcoming until tomorrow at the earliest, Zukowski said.

He said it may not be made public for an additional day or so until it has been interpreted and explained to the School Committee, Selectmen and others by the engineers who will determine what has to be done. These, he said, are William M. Barry, head of Barry Engineers & Constructors Inc. of Pittsfield, and Mark Dunn of Architects Inc., a Northampton firm that has been called in as an adviser.

The report is being drafted by Capital Materials Testing Inc. of Ballston Spa, N.Y., three of whose inspectors, as Gralla said, "went through every piece of steel in the building" early last week.

Although there has been speculation among observers that the heavy snow that built up on the school's roofs as a result of two major storms earlier in the month was responsible for the structural depression, Zukowski and Gralla have been careful to make no speculations themselves.

"I am not technically able to make such judgments," said Zukowski. "We must wait for the professionals to tell us."

The school system's maintenance worker, Neil Merwin, who spotted the sagging joists Dec. 18, said most of the snow is off the roofs now.

Asked if the town expected to bring any legal action against suppliers or others because of the roof failure, Scully said it was "much too early even to speculate about such a thing."

The Williamsport, Pa., architectural firm of Wagner & Sul-

livan, which designed the structure in 1960, is no longer in existence.

The school, of what is called Maximlite design — built to gain the maximum amount of natural light by virtue of hexagonal construction — was built in 1961 and early '62 and was opened in April 1962.

It could not be learned yesterday if the steel bar joists, which support the flat roof covering everything but the two-story gymnasium, were too light for the job or not. Because of the holidays, people who might speak on the issue at the Steel Joist Institute in Myrtle Beach, S.C., which establishes standards for structural steel, were away and could not be reached.

John Rosier, vice president of Berkshire Bridge & Iron Co., offered no opinion on the matter but said the joists range from 10 to 14 inches in depth depending on the span they cover. Each consists of an upper and lower rail separated by steel rods that provide trusslike support. Some of those rods have cracked away from the rails to which they were attached.

The gymnasium roof, which is arched, not flat, is supported by laminated wooden beams. These were repaired about four years ago, said Zukowski, and are now sound.

Temporary wooden supports under roof joists in classrooms north and south of the main hallway will remain in place as long as needed, he added.

Lee High School reopening delayed by roof repairs

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — School Superintendent Henry T. Zukowski announced yesterday that Lee High School will not reopen as scheduled Monday because emergency repairs to the roof won't be finished by then.

He said the decision to remain closed involved school officials and the town building inspector, Robert W. Lester, and followed the recommendation of the school's consulting engineer, William M. Barry of Pittsfield. Barry's opinion was based on his review of a preliminary report by Capital Materials Testing Inc. of Ballston Spa, N.Y., the firm hired to examine structural weaknesses in the roof.

'Day-to-day basis'

"After Jan. 4 we will go on a day-to-day basis pending the opening of school by the town building inspector," said Zukowski, adding that it is unlikely the school will remain closed all of next week.

Initially, school officials thought that if the emergency repairs in the main corridor area were completed by Monday, the school could reopen with temporary repairs under way in the other affected areas of the building.

Zukowski, however, said that the engineering reports indicate that permanent — not temporary — repairs should be undertaken in the roof over the art and music rooms, and the home economics and special education classrooms. He said that by the time students return to school, all the permanent work should be completed. It is being done by Berkshire Bridge & Iron Co. of Dalton.

A special town meeting has been scheduled Jan. 13 to appropriate funds to pay for the work. School officials said that as yet they don't know how much money will be needed.

Structural repairs began just after the school was shut down Dec. 18, when the roof failures were discovered.

The unexpected three days the school was closed before Christmas because of the roof problem means that the high school has already used up the five allotted "snow days" in the annual schedule and that any other missed days must be added to the remaining school year.

Asked how any added lost days would be handled, Zukowski replied that he will meet with Lee Teachers Association President Neil F. Clarke to discuss sched-

'After Jan. 4, we will go on a day-to-day basis.'

uling options.

Also yesterday, state building inspector James Barry — no relation to Barry Engineering — visited the school to view the condition of the roof and the repairs under way. According to Zukowski, Barry confirmed that school officials had acted properly in closing the school early and work thus far has been appropriate.

Barry also gave authority to Lester to decide when the school may be reopened. His decision must be based on the engineer's recommendation.

School Committee Chairman Carol E. LePrevost and Selectman John E. DeVarennes said yesterday the engineering firm, the Ballston Spa company and the contracting company have been working aggressively to resolve the roofing problems, maneuvering around two holidays to get the work done.

"It's been a real team push," said DeVarennes.

He said it is not yet clear whether the state will reimburse the town for the emergency roof repairs.

Laliberte Toy Fund well over goal

LEE — A total of \$6,645 has been donated this season to the Laliberte Toy Fund, exceeding the \$4,000 goal by \$2,645.

The fund, which provides toys for children up to age 10 in Lee, Lenox Dale and Tyringham, honors the memory of its founder, longtime Lee Police Officer Adelard "Eddie" Laliberte. It served a record number of children this year.

The Police Association wishes to acknowledge the following for their continued support: Charles Wheeler, Kay-Bee Toys, Century Berkshire Cable, Phil Hopkins, Amy Mack, Lee Senior Club, Olga Petersoli, Ken Labier and Jerry Brazeel.

The latest gifts follow.

In lieu of cards	
Employees and patrons of Lee	
Price Chopper	\$ 300
Patrons of Lee Men's Club	250
Girl Scout Troop No. 138	30
The Post	35
Richard and Carolyn Hitchcock and family	20
In memory of:	
Peter Chiorgno	10
Bill Cassey, Ted Cahalan and Duffy Clark, love Eddie and Suzie	10
Gramp Ted, Mike Coty and Richie Ostrander	10
Jim Bianco and grandson Bobby	10
My brother, David F. Curtin	10
Grandma Julia Stavard, love Mitchell	10
Gramma Ryan, I love you, Erica Lynn	11
Leon Blasin, from Sonny	30
Today's total	\$ 736
Total to date	\$6,645
Amount over goal	\$2,645

Lee boys win 4th in a row

The Lee High boys' basketball team has done a complete about-face, and coach Matt Capeless couldn't be happier. The Wildcats, losers of their first two games, picked up their fourth straight win last night, rallying in the closing seconds to beat Pittsfield, 58-53.

Boys' Basketball

In another photo finish, Monument Mountain withstood a furious second-half rally by Hoosac Valley and claimed a 56-55 victory.

Wahconah improved to 6-0 with a 58-37 win over Mount Greylock. The county's other unbeaten team, Taconic, kept pace with a 44-39 win over Lenox.

St. Joseph's coach Paul Procopio reached a milestone last night, winning his 350th basketball game as head coach at St. Joseph's, with a 73-59 win over Pioneer in Northfield.

"It just brought to mind a lot of good kids who I've had in the program who have contributed to that," said Procopio, who has been head coach at St. Joe's for 23 years.

Also last night, Drury ran past Mount Everett, 71-46.

Lee 58, PHS 53

LENOX — The Wildcats trailed 34-31 at halftime, took a 13-point lead with about seven minutes left in the second half, and went ice cold as the Generals came back to lead 51-50 on a John Goodnow basket. PHS would score only three points the rest of the way.

With 48 seconds remaining David Clark's hoop gave Lee a 57-51 lead. That forced the Generals to foul, and Kevin Burch, Jim Salinetti and Jeff Puleri successfully hit all six of their free throws, giving the Wildcats

BOYS, continued on C3

Vivian M. Gangell

LEE — Mrs. Vivian Maria Gangell, 87, of 1831 Middle-Bellville Road, Mansfield, Ohio, formerly of Lee, died Tuesday at her home.

She was born in Lee on Oct. 22, 1905, daughter of Egbert C. and Amanda Down Merrell, and attended local schools. She had lived in the Springfield area from 1946 until November, when she moved to Ohio.

Mrs. Gangell had worked as a seamstress for department stores in Springfield and then was self-employed.

She was a member of the Old First Church in Springfield.

She leaves a daughter, Mrs. Betty Kenney of Mansfield; a sister, Miss Asenath Merrell of Agawam; two grandsons and five great-grandchildren.

The funeral will be conducted at the convenience of the family. Burial will be in Fairmont Cemetery in Lee.

The Snyder Funeral Home in Mansfield is in charge of arrangements.

BOYS, from C1

enough of a cushion to win.

"We came out in the second half, and got ourselves back in the game," said Capeless.

Puleri led both teams with 24 points, and pulled down 13 rebounds. Clark added 11 points. Pittsfield was led by Goodnow's 17 points and Mike Cimini's 13.

PHS won the jayvee game, 54-49.

Monument 56, Hoosac 55

GREAT BARRINGTON — This was almost like a doubleheader. The Spartans jumped out to a 38-20 halftime lead, but the second half was all Hoosac.

"We played an outstanding first half. We moved the ball and shot well," said Monument co-coach Tom Kinne. "[Coach] Bill Robinson did a good job with his

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As year closes out, Will calls it quits

By Dorothy W. Chapman
Special to The Eagle

LEE — Among the many jobs lost in Berkshire County over the last year were those at E.C.H. Will Manufacturing Corp., which closed its doors once and for all yesterday.

"For all intents and purposes, the plant is closed and manufacturing operations are completed," said John D. Eisenhour, vice president, yesterday afternoon. He noted sadly that a few office and engineering staff members were wrapping up their final projects.

Employment at the local plant ran as high as 120 two years ago, but half of the employees left during the past year and most of those remaining put in their final shift yesterday.

Eisenhour couldn't say just how many showed up for the last day.

One employee who answered the telephone just before noon said, "Yes, we're done. Everyone is going around saying goodbye."

News of the plant closing came last spring, when it was announced that the intention was to relocate and consolidate the manufacturing operation at a sister plant in Sheboygan, Wis.

The plant, on Route 20, manufactured giant paper-cutting machines called folio sheeters for the papermaking industry. E.C.M. Will is owned by a Hamburg, Germany, company that purchased the assets of Clark-Aiken in November 1989, after it went bankrupt.

"It certainly is a sad day," said Eisenhour.

A handful of employees from the shop and the office have been offered jobs at the Wisconsin facility, while some white-collar workers have found work in the Springfield area and other area companies.

But Eisenhour said he personally has no plans to relocate to Wisconsin "at this time."

SHUTDOWN, continued on B2

Will plant closes

■ SHUTDOWN, from B1

He said he has been a resident of Western Massachusetts for more than 20 years and added, "I have some tasks to complete here, and after that I'll be unemployed as well."

Attempts are being made to pass legislation that will reinstate the right of laid-off workers to collect unemployment pay and severance benefits simultaneously.

Eisenhour said that, as of yesterday, the bill had been sent to the Senate but had not come to the floor.

Meanwhile, the regular switchboard at the plant closed at noontime and an answering service reported that it is closed.

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Berkshire Eagle 1/2/93 B3

Lee High reopening not likely before next Wednesday

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — School Superintendent Henry T. Zukowski said yesterday Lee High School isn't likely to open before Wednesday because of emergency roof repairs under way, and school administrators are now looking for an alternative location for classes in case further roof problems develop.

"They're still not finished investigating different areas in the school, and I just want a plan where we can do something if further problems are found," said School Committee Chairman Carol E. LePrevost yesterday. "I don't want students to miss any more school than they have to."

Lee High School was closed on Dec. 18 when custodians discovered weakened roof beams in three areas of the school. Emergency testing and repairs have been under way since then, with the aim of reopening school on schedule Monday. Earlier this week the school's engineering consultant said opening on Monday is impossible, and yesterday Zukowski said Tuesday also appears unlikely.

Search for sites

"Possibly" school could reopen on Wednesday, he said. But if school can't reopen by then, administrators will try to find alternative class locations, said Zukowski.

That search was undertaken originally when the school was closed, said LePrevost, but was abandoned when the engineer said repairs would be completed by Jan. 4.

Initially, the superintendent of the Southern Berkshire Regional School District offered Lee students space at Mount Everett Regional School in Sheffield. That school would have science laboratory facilities for juniors and seniors, said LePrevost.

Other options are under consideration as well, said LePrevost, such as using office space at some of the local mills.

But there are a number of logistical problems that could arise if students are dispersed in different teaching areas, and those issues will be dealt with this weekend by high school administrators, said Zukowski and LePrevost.

The high school has already used up its five allotted "snow days" because of the roof problems, and any additional lost days must be worked into the remaining school schedule.

Draft report

Zukowski said Capital Materials Testing Inc. of Ballston Spa, N.Y., has delivered a draft report of its roof investigation to Pittsfield engineer William Barry.

The report indicates that snow and ice on the roof contributed to weakening the 30-year-old roof beams, but the original cause of the problem has not yet been specified, said Zukowski.

However, he said a "very big leak" has now developed in the cafeteria area as well. The leak was probably caused by all the workers walking around on the roof attempting to keep the drains clear, he said.

Scenes from a (strip) mall

Berkshires must control growth

By Andrew Reinbach

Special to The Eagle

As you read this, Berkshire County is under siege by the mass market and its malls and strip development. But most people seem content to point to the slow economy and deny anything is happening.

This is a recipe for disaster. Something is happening right now. And the issue isn't what occurs here in the next five years — it's what Berkshire County will be like in 50 years.

Today, the owners of both the Lenox Country Shops and Brushwood Farm in Lenox have applied for permits to build what between them would be a retail concentration about half as big as the Berkshire Mall, and Wal-Mart is planning to build in North Adams, Pittsfield and Great Barrington. All of these represent substantial threats to the character of Berkshire County.

The Lenox proposals, if approved, mean continued strip development of the Lenox-Pittsfield corridor, development that will bring in its train more traffic and, over time, even more strip development. The voters of Lenox had a chance to face the issue this fall, when a new zoning plan was proposed. It would have at least allowed them to control what faced them. But the plan failed to get the two-thirds majority needed. The permit applications were submitted soon thereafter.

The Pittsfield Wal-Mart is an even greater danger — it will recreate Berkshire County. The proposal represents the second step in a pattern that's occurred everywhere a mall's been built; first the mall, then the satellite malls, then the office parks, the hotels and the apartment houses. Soon you have a new city. And if we build a new city between Coltsville and the Lanesboro mall and major retailing in Lenox, what are we doing to downtown Pittsfield?

This was avoidable when The Pyramid Compa-

nies wanted to build the region's major mall in downtown Pittsfield; now it's on the table.

Don't kid yourself. Wal-Mart's not crazy to be coming here. It does its homework. What it wants now, more than anything, is market share; the big profits will come later. And as far as the owners of the Country Shops and Brushwood Farm go, they wouldn't be applying for building permits unless they had construction money lined up, which they couldn't get without tenants.

Money men in county

This means two things: The big money in this country thinks Berkshire County is ripe for development, and if three groups have projects on the table, there are 25 others looking around. The impression in the eye of the public is a development here, a development there. The reality is an army of money men poking around the county.

Some people argue that trying to control development is economic suicide. In fact, what controlling growth really does is to attract the better sort of development, and drive away the trash. Where there are strong controls, supply is held in check, demand is healthy, and real estate markets are strong and stable.

Development in and by itself isn't evil; it's how democratic capitalism lays the foundation for economic growth. But growth must be wisely controlled. Uncontrolled growth creates boom/bust cycles, and will eventually pave the county with strip shopping centers, fast-food joints, condos and the low-quality jobs that go with them. Controlling growth can foster a healthy, stable economy that creates meaningful jobs — without sacrificing our county's basic character.

And Berkshire County can't avoid development.

This is because we are an hour away from the edge of the Boston-Washington megalopolis, within easy reach of New York and Boston, an hour away from Albany and a hour and a half away from Hartford. Also, Berkshire County has replaced the Hamptons, on Long Island, as the Northeast's summer resort of choice. Our depressed local economy only makes the area more attractive, be-

GROWTH, continued on E2

Lee plans to resume classes on late shift

By Ellen G. Lahr

Berkshire Eagle Staff

LEE — Beginning Wednesday, Lee High School students will attend classes from 2:30 to 7:30 p.m. at Lee Central School while roof repairs are being completed at the high school, Superintendent Henry T. Zukowski said yesterday.

The continuing repair work prevents resumption of classes at Lee High, and the soonest the alternative plan can be implemented is Wednesday, Zukowski said. He said he fully expects the high school will be ready for occupancy Monday, Jan. 11.

All high school personnel are being asked to attend a staff meeting tomorrow at 10 a.m. at Greenock Country Club to discuss details of the temporary schedule change, said Zukowski.

"Under no conditions does the School Committee want classes to be going on while workers are working in the building," he said. "There's a lot of noise and a very heavy odor of welding. The School Committee wants all the work to be done when the students come back."

At the same time, he said, he wants classes to continue, because any more missed days must be made up and because students should keep up with their studies.

Neil F. Clarke, president of the Lee Teachers Association, said the organization's executive board is in favor of getting back to school as soon as possible.

"This looks like the best alternative at the moment," he said. "We assume we're looking at a short-term situation for a few days. We'll try to make the best of a bad situation."

Zukowski said the schedule change means that Grades 5 through 8 will be dismissed at 1:45 from their Lee Central School classes. When the school buses deliver those pupils home, drivers will pick up students in Grades 9 through 12

LEE, continued on B3

Berkshire Eagle 11/4/93

TONIGHT

ELKS BINGO P.B1

W.T.A. & 2 Super Specials

27 Union St. 6:45 p.m.

\$1.00 admission

Bonus up to \$300 plus \$1000

Berkshires must control growth

■ GROWTH, from E1

cause land is cheap.

Demand for real estate might seem like great news. But it's dangerous, too, because we have neither an official, unified regional land-use plan nor any organized political structure to give it teeth.

There are already important steps being taken to deal with the vacuum. The Berkshire County Land Use Commission, for instance, could become a vehicle for positive action by creating a regional land-use agency — if it acts. Until recently, it may have moved slowly, but the new chairperson, Barbara Bashevkin, seems to be giving energy to a process that could lay the governmental foundation for the fu-

ture of the county, and in my opinion both she and the commission deserve support.

But the Land Use Commission is only part of the answer. It has to actually create the agency it wants to create, it has to create it in a timely manner, and even after the agency exists, plans will have to be created, adopted and applied. This will take time we can't afford; the game's afoot today.

Waiting is dangerous for the county. It will give developers and big companies, many of which have more legal, economic and political clout than most localities, time to play divide and conquer among our towns, political factions and merchants groups, and walk away with the spoils. So it's up to us to work

together — now — to control the growth now under way.

Anyone who wants to see what disunity can mean should visit Long Island's South Fork or southeastern New Hampshire. These areas have been ruined by what apologists for the developers who created that result call success. As a matter of fact, the outcome is what's driving the trend-setters here.

If the Land Use Commission can produce a viable plan in a timely manner, and if the county adopts it, then we will have a structure to deal with the longer-term problems that will inevitably face us. But the ball is in motion now. The game has to be played today. And we as citizens must play the game together — or lose it.

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Lee announces plans to resume classes

■ LEE, from B1

and take them to Central School. The return trip will be made at 7:30, he said.

Children in kindergarten through 4th grade will not be affected by the schedule change.

In order to free up their classrooms, the 7th and 8th graders at Central will be released 35 minutes earlier than normal, and 5th and 6th graders will be released more than an hour early, said Zukowski.

The adjustment means that the high school schedule will be 75 minutes shorter than a regular school day, with all seven class periods shortened somewhat, said

Zukowski. Students will be expected to bring bag lunches because no cafeteria food will be provided.

Late shift

All high school staff will shift their hours to the late shift as well, he said.

Zukowski said details of the bus schedule are being arranged today and will be conveyed to students before Wednesday.

Athletic events will go on as scheduled today and tomorrow, he said, but any events scheduled for Wednesday, Thursday and Friday will have to be postponed.

Berkshire Eagle 1/5/93 B4

Lee High School 'adventure' slated to begin tomorrow

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Lee High School officials are getting ready for what Principal Richard T. Salinetti called a "grand experiment" in teaching students at odd hours in an alternative location.

"It'll be an adventure," said Salinetti optimistically yesterday. "Maybe it will even turn out to be a lot of fun."

Shorter classes

Because of emergency roof repairs under way at the high school, classes are being moved to Lee Central School and will run from 2:30 to 7:30 p.m. Classes will be 40 minutes long instead of 45, and there will be a 20-minute lunch break.

Administrators expect the alternative class schedule to be in effect tomorrow, Thursday and Friday, and predict the high school will reopen Monday.

Salinetti provided more details yesterday on how the class schedule will operate. He said:

► Vocational classes with the Southern Berkshire Educational Collaborative will run as normally scheduled. Students should show up at the high school tomorrow at their regular time for bus transportation to vocational sites. They will attend afternoon classes at Central School.

► High school students will be allowed to pick up books and other school supplies from their

lockers at Lee High School between 10 and 2 tomorrow. Because of construction under way, students must be escorted to their lockers, Salinetti said.

► Buses will pick up high school students at between 1:55 and 2 p.m., at the same time Lee Central School students are being dropped off. Buses will deliver high school students home after classes are dismissed at 7:33 p.m.

► Because of limited parking in the Central School vicinity, students are being asked to walk to school or take the bus.

► Lee High School teachers may park in the lot of St. Mary's Church on Academy Street.

► Students are asked to bring their own bag lunches, because the lunch period is short and food service will include only sandwiches and drinks.

School staff will meet this morning at 10 at the Greenock Country Club to discuss the changes.

Otis bus pickups

Also, the pickup of Otis students who attend Lee High will begin at 1 p.m. from Otis center. The bus will go east on Route 23 to Westerly Avenue, then around the reservoir to Route 8 and back to the center of town. The minibus will pick up Algerie Road and Route 23 west.

The bus will leave Otis Town Hall at 1:50 for Lee. There will be no late bus runs from Lee or Great Barrington tomorrow or Thursday.

B4 — The Berkshire Eagle, Tuesday, January 5, 1993

Entire school roof to need replacing, Lee Selectmen say

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — The emergency repairs to some damaged beams in the Lee High School ceiling roof won't cost nearly as much as replacing the entire roof, a separate and unrelated job that will cost between \$600,000 and \$800,000, the Selectmen said last night.

The current emergency work on the interior beams — which forced school officials to shut down the school on Dec. 18 — could cost between \$200,000 and \$300,000. But school and town officials say a much larger job is looming, because the exterior roof membrane is failing, which means the entire outside roof must eventually be replaced from the outside.

School Superintendent Henry T. Zukowski said the two problems are independent of each other, and it's not clear when the big job will be done.

Contractors miffed

More than a dozen local contractors crowded the Selectmen's meeting last night to find out why the expensive emergency roofing repairs involved no competitive bidding procedures.

Guy Crawford, owner of Crawford Bros. Roofing, said there was a week's delay between the roof inspection and the start of repairs, but that no local contractors were approached about doing the work.

"There are three welding contractors in Lee and not one was asked," he said.

Thomas Garrity, owner of LB Corp., a local contractor, reminded the Selectmen of the controversy that erupted after the town road superintendent unilaterally decided to hire LB Corp. to build the temporary emergency bridge on Tyringham Road recently. The Selectmen and town administrator pledged at that time that all future emergencies — which don't require a formal bidding procedure — would nevertheless involve more than one price quote.

The emergency roof situation exempted the School Department from a formal bidding procedure, but contractors said competitive quotes should nevertheless have been sought.

Their comments followed Zukowski's detailed report to the Selectmen about how he and the

School Committee handled the roof emergency, which developed Dec. 18. A teacher had found a ceiling tile on the floor and on further inspection a custodian found extensive roof damage in the ceiling of the school.

Chain of events

The school was closed, and a rapid chain of events unfolded after Zukowski contacted a Northampton architectural firm. That firm sent a Pittsfield engineer, William Barry, to examine the damage. Zukowski said a decision was made to give complete authority to Barry, who had brought an official from Peter Francese & Sons, a Pittsfield contractor that ultimately performed some temporary shoring up of the ceilings.

Barry also recommended Capital Materials Testing Inc. of Ballston Spa, N.Y., to carry out an inspection, and both he and executives of the New York firm suggested Berkshire Bridge & Iron, a Dalton company, for the welding repairs to the roof beams.

In response to Crawford, Zukowski said he had no idea there would be a delay between the inspection and the start of work. He also reiterated that he entrusted the job to Barry, who recommended the contractors.

The men who attended last night's meeting seemed somewhat reassured by Selectman John E. DeVarennes' explanation that the big roof job must go out to bid.

But afterward, Garrity said he was shocked that the School Department apparently obtained no estimates for the work under way.

"You don't get that kind of contract anywhere," he said.

The Selectmen have scheduled a special town meeting for Jan. 13 to pay for the work, and \$300,000 is the anticipated cost, but no firm estimates have been released. Zukowski said last night he has since obtained specific figures he will release to the School Committee at the board's meeting tonight at 7:30.

Meanwhile, Zukowski also explained that he applied for state building assistance to cover the cost of the emergency repairs, and is also filing insurance claims.

"We'll have to attack on several different fronts to get the money," said Selectman Martin H. Deely.

Berkshire Eagle 1/6/93 P. C1

Wildcats win in triple OT

By Howard Herman
Berkshire Eagle Staff

The Lee High boys' basketball team put its four-game win streak on the line last night at Drury and needed not one, but three overtimes to extend it to five.

David Clark scored 13 of his game-high 20 points in the overtime periods, as the Wildcats edged the Blue Devils 61-57 to highlight boys' basketball action.

Wahconah remained the

Boys' Basketball

county's only undefeated team, as it rolled over Berlin Central High 74-42 in New York state for its seventh straight win.

In other non-league action, Kevin Codey became the first boys' player this year to score 30 points as Taconic beat Mount Greylock 61-41. A couple of three-game losing streaks went by the

boards last night, as Pittsfield downed Lenox 54-48 while McCann Tech defeated Franklin Tech 55-44. St. Joseph's edged Hoosac Valley 43-41 and Monument Mountain rallied from a five-point halftime deficit to beat Mount Everett 59-53.

Lee planners defer decision on permit for Locker Room

By D.R. Bahlman
Berkshire Eagle Staff

LEE — Before a standing-room-only crowd, the Planning Board last night deferred until March 1 a vote on whether to grant a special permit to the owners of the Locker Room sports bar.

For nearly two hours, the board heard arguments from attorneys on opposite sides of the question of whether the business' retroactive application for a special permit should have been obtained before the bar — which had been recently purchased from the neighboring Tristany family — opened for business under new ownership in 1991.

The application seeks approval of removal of a wall between the main tap room and space in an adjacent building.

Support from audience

Although the Main Street bar has been at odds with some neighbors and town officials almost since its opening, the vast majority of the audience at last night's hearing appeared to favor issuance of the special permit.

Indeed, at least one statement made by the business' attorney, Elizabeth J. Quigley of Great Barrington, was followed by loud cheers and applause. The same response greeted some audience members' assertions that the bar is a welcome presence in town and that its owner, Donald Lucy, consistently supports activities that benefit the town's young people and many charitable causes.

However, G. Bruce Rumph, the Pittsfield attorney who represents the Tristany family, told the board that Lucy's community activism, while commendable, is beside the point.

Rumph argued that the permit should not be granted because the application contains "procedural defects," including lack of a site plan drawn to scale by a licensed engineer and lack of a copy of a lease for a parking area across the street.

In addition, said Rumph, the Locker Room serves a great many more patrons during business hours that are considerably longer than those kept by the property's previous owner, Mario Tristany.

"How can a sports bar that serves 120 people until 1 or 2 o'clock in the morning not be more detrimental than a tavern

that was open from 2 to 6 in the afternoon and was lucky to draw 10 patrons?" he said.

Quigley, however, asserted that the property was deteriorating under the Tristanys' ownership, and that the Locker Room is an improvement.

Alarm on rear door

She also said that Lucy has undertaken several measures aimed at making the bar a better neighbor. For instance, she said, an alarm has been placed on a rear exit to discourage patrons from using the door to get to the rear parking lot.

The Tristanys have complained that Locker Room patrons were urinating in the lot.

In addition, Quigley told the board that Police Chief Edward J. Finnegan authorized her to report that he finds the bar's management cooperative and quick to act on any suggestion or request from the department.

Finnegan also said that numerous complaints about the bar from the Tristanys have been investigated and have been determined to be unfounded. The chief said that the department no longer responds to certain types

of complaints from the Tristanys, Quigley said.

As they did on every other point, the lawyers differed on the question of whether Mario Tristany's limited use of the property constituted abandonment of it.

Rumph argued that it did, and reasoned that since there had been an abandonment, the Locker Room should be considered an entirely new use of the property for the purpose of evaluating the merits of an application for a special permit.

Quigley disagreed and cited the decision of a state appellate court that limiting the use of a property does not constitute abandonment.

Planning Board Chairman Robert W. Birch said that the board will seek legal advice on that issue, and, probably, on several others.

Hefting the stack of papers presented to the board by both sides, Birch jokingly wondered aloud "if the Supreme Court receives this much paperwork on its cases."

Birch assured the audience that the board's deliberations on the application will be held in open, public session during its regular meetings.

Berkshire Eagle 1/5/93 B2
Christine M. Melendez

LEE — Miss Christine Mary Melendez, 17, of Fort White, Fla., died Dec. 29 in New York City after being accidentally shot. She had been in New York to visit her grandmother, Mrs. Mercedes Melendez. She also was the granddaughter of Francis and Christine Touponce of Lee.

Born in New York City on July 12, 1975, the daughter of Sylvia Touponce Melendez of Fort White and the late Al Melendez Sr., she had attended school there until she moved to Fort White two years ago.

Besides her grandparents and her mother, she leaves a brother, Al Melendez Jr. of New York City.

A service will be conducted tomorrow at 2 in Fort White Cemetery by the Rev. Charles Knight, pastor of Elim Baptist Church, Fort White.

Calling hours at the Sherrill-Guerry Funeral Home in Lake City, Fla., will be today from 6 to 9 p.m.

Lee roof repairs estimated to cost \$179,250

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — School Superintendent Henry T. Zukowski told the School Committee last night that the estimated total cost of repairing the Lee High School roof beams is approximately \$179,250 but could be as much as \$200,000.

The emergency inspections and repairs, which have been under way since Dec. 18, are expected to be completed by Monday. A special town meeting is scheduled for Jan. 13 to appropriate

funds to pay for the work. Town officials initially anticipated expenses of approximately \$300,000.

According to Zukowski, the costs break down as follows: \$70,250 for professional services, including engineering, architecture, inspections and administrative costs, and \$109,000 for actual repairs, including masonry, carpentry and welding, which accounts for \$85,000 of that figure.

The School Department will seek reimbursement from the state, the school's insurance

company, or both to pay for the work, Zukowski said.

The failure of some roof beams inside the high school forced the school to shut down on Dec. 18. High school classes will resume today at Lee Central School from 2:30 to 7:30 p.m., but administrators anticipate that the alternative schedule will be necessary for only three days and that the high school will open for business as usual on Monday.

Last night High School Principal Richard T. Salinetti said all high school teachers have been assigned classrooms at Central School, and he handed out a map, schedule and list of reminders for students and staff.

Salinetti assured the committee that the three days at Lee Central School won't be taken up with a laid-back format that includes VCRs. Regular lessons will be going on, he said.

"It's not going to be a television show," he said.

Kelsey D. Scarpa, who is Lee High School's student representative to the School Committee, said students are looking forward to returning to school with an off-beat schedule for a few days. Students won't mind sleeping later than usual either, she said.

A meeting for the high school staff was held yesterday at Greenock Country Club. An assembly for the approximately 300 high school students will be held today at 2:30 in the gymnasium to inform students of the operating procedures.

The School Committee lavished thanks and praise on Salinetti, Lee Central School Principal Steven Cozzaglio, building superintendent James Gralla and others for their aggressive work in

arranging the emergency repairs and rescheduling school in an alternative location.

And board Chairman Carol E. LePrevost commended Zukowski for his handling of the difficult situation that occurred during the holiday season.

"I am proud of the job you have done, Henry," said LePrevost. "I know you put 200 percent into this. I'm glad you're on board here."

The board also began its fiscal 1993 budget discussions last night, and will hold another budget meeting tonight at 7.

The Berkshire Eagle, Wednesday, January 6, 1993 — B5

Lee's Clark Court housing project nears completion

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Lee Housing Authority representatives have told the Selectmen that they expect the Clark Court housing development on Marble Street to be ready for occupancy starting next week.

The 16-unit project, which was initially scheduled for completion last June, has been held up by various construction delays, and most recently because of changes requested by the town's gas inspector.

However, LHA Chairman Rita Perry and Vice Chairman Frank V. McCarthy told the Selectmen Monday night that the architect has satisfied the gas inspector's concerns and that completion work is under way. Town Building Inspector Robert W. Lester said the certificates of occupancy will be issued starting next week.

64 applications

Perry said there were 64 applications from families hoping to move into the low-income development of eight duplex buildings. Of those, 16 were selected, and 15 of the families are from Lee, said Perry and LHA Director William Maroney.

Perry said six units will be ready starting Jan. 14, another six on Jan. 19 and the last four on Jan. 21.

August Passetto, a Lee resident, complained to the LHA that the construction contract for the project involved no local tradesmen at a time when many are out of work.

LHA member Francis Foley replied that the contract was awarded to the lowest bidder, as required by state law. There were Berkshire County firms that bid on the job, but he said the low bidder was Mello Construction of Taunton.

Fire connections

In other business Monday night, the Selectmen voted unanimously to abandon the fire alarm system that connects some local businesses' fire alarms directly into the town switchboard.

Their action followed a recommendation from Deputy Fire Chief Alan Sparks, who explained that the system has recently broken down and will cost more than \$20,000 to repair. He said that the

vast majority of automatic calls received on the fire alarm system are false alarms, and that it doesn't pay to repair the system.

Kenneth LaBier, head of the Lee Ambulance Squad, said businesses can pay for an automatic alarm using a private security company, which on receiving an alarm would then call the Lee switchboard.

That would cost businesses about \$500 for an initial hookup and another \$200 per year for alarm service, he said.

The Selectmen also accepted a petition from Joseph Castronova to place an article on the annual town meeting warrant calling for the abandonment of the town representative form of government. This is Castronova's second attempt at abolishing town representative government in as many years.

Last spring the item was on both the town meeting warrant and the annual election ballot. While the election results favored the change, the representatives didn't. In the aftermath, the Selectmen appointed a study committee to meet, consider the situation and make a recommendation on whether town representative government should be abandoned. The committee's work is still ongoing.

Selectman Martin H. Deely asked Castronova why he didn't wait until the study committee made its recommendations, and Castronova replied that the Selectmen have set a Jan. 15 deadline for annual town meeting petitions.

A second petition presented by Castronova seeks to rescind a vote of the May 10, 1990, town meeting, at which the town representatives authorized borrowing \$1.065 million to purchase land for a landfill to be developed in a joint project with Mead Corp. That project has been placed on hold indefinitely.

The Selectmen also received a recommendation from a study committee that has been examining how the town-owned Airolti Building on Railroad Street could be best used.

The report recommends spending \$12,287 to renovate some offices to give the Lee Ambulance squad and the Senior Center more space.

Crews finish Lee High roof repairs

Page 3 The Advocate Jan. 6, 1993

Christmas vacation is ending for Lee High School students this week — a few days and hours later than expected, while work crews finish repairs to the high-school roof.

Beginning today (Wednesday), Lee High classes are being conducted from 2:30 to 7:30 p.m. at Lee Central School. To accommodate the change, Lee Central students in grades five through eight will be dismissed at 1:45 p.m.

Officials hope to reopen the Lee High School building for classes on Monday, Jan. 11, although that timetable will depend on completion of the roof work, cleanup and approval by town building inspector Robert W. Lester. "We want to make sure the high school is absolutely, positively safe for students before classes start there again," said school committee chairman Carol LePrevost early this week. "We talked to the engineer, William Barry, and he said (opening next Monday) is probably realistic."

In late December, school officials closed Lee High three days early for Christmas vacation after fallen ceiling tiles were found. Structural experts were brought in and areas of abnormal settlement, suggesting existence of structural problems, were discovered. Work crews and welders from Berkshire Bridge & Iron Co. of Dalton then reinforced the roof.

While the recent emergency was unexpected, plans were already underway for a major overhaul of the high-school roof. The current work is intended to make the roof safe but LePrevost said major reconstruction will be necessary for the long term. "The roof was already on the list of planned projects," said LePrevost. "This simply pushed it further up the priority list."

The roof situation has also caused some political stress. At Monday's board of selectmen's meeting, local welders and contractors complained that Lee firms had not been given a chance to bid on the repair work. Although not legally required in emergency situations, town officials said in the future local businesses would be given more consideration.

Officials are now considering ways to cover the emergency-repair costs (initial estimates ranged from about \$100,000 to \$300,000) including possible insurance reimbursement and/or state aid. The selectmen have also scheduled a special Town Meeting for Jan. 13 to deal with the funding issue.

Learning on the night shift

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — The entire Lee High School operation was successfully transferred yesterday to Lee Central School, where students began an unusual experiment in attending night school while emergency roof repairs are completed at the high school campus a few blocks away.

Students filtered into the middle school section of the High Street building between 2 and 2:30, after having been out of school since Dec. 18 when Lee High School was shut down. There was a bustle of conversation and excitement among the teen-agers, who didn't seem to mind the inconvenience of the schedule change. Each student was given a map of classrooms

LEE, continued on B4



Rina Verdi listens to a review in Spanish II during the first day of Lee's temporary school upheaval.



Guidance counselor William Bourden, left, and Principal Richard T. Salinetti talk at stairwell. They have no offices.

Lee students go on night shift

■ LEE, from B1

and a time schedule for the abbreviated class periods.

Still, administrators were promptly pummeled with questions and minor complications that arose for various students. But once classes began, the halls were quiet, the teachers were teaching, and the students were learning. Dean of Students Kathleen Bort said attendance was remarkably high, over 92 percent. Only three of the 80 seniors were absent, she said.

Administrators bustled back and forth in the hallways, checking attendance in various classrooms, directing stray students in the right direction and complaining about having to climb up and down two flights of stairs separating the three floors of classrooms.

"Unbelievable," said Principal Richard T. Salinetti, after learning of yesterday's high attendance.

"Fantastic," said Superintendent Henry T. Zukowski, who initiated the transfer of classes to Central School.

'When's lunch?'

The most frequent questions that arose were "When's lunch?" and "When do we have to make up the missed school days?"

The lunch question (6 p.m.) was easily answered, but the question of makeup days remains unclear. Students have now missed seven days of school, including two snow days and five "roof days."

Guidance counselor William Bourden, addressing juniors and seniors in the gymnasium at 2:30, said yesterday that no decisions have been made regarding makeup days.

"We have no idea how these days will be made up," he said. "Don't speculate, and don't start rumors."

Most importantly, he said, the seniors' graduation date won't be affected.

While the day — and night — progressed without major hitches, some students complained that the night schedule causes problems with their after-school jobs and with transportation to school in the morning for vocational programs.

One student complained without too much sincerity that the late school schedule will interfere with his favorite television show, "Beverly Hills 90210." He said it also complicates his ability to attend his vocational education class, a morning food service program in Great Barrington.

Steve Boles, a junior who lives in Otis, said he'll have to skip his

night job at Otis Ski Ridge from 5 to 10 p.m. because he'll be in school.

But aside from those minor complications, the night shift at Lee Central School went relatively smoothly. One problem is that the administrators have no office spaces, so they've taken up permanent residence in the corridors, chatting with each other, ironing out problems, sharing war stories about the day's events, and doling out whatever informal advice and counseling students might need.

Because they have no lockers and are sitting at the desks of middle school students — who are being dismissed early to accommodate the high school students — the high school students have to haul heavy book bags and winter parkas between classrooms.

But some said yesterday that they're happy to be able to stay up late and sleep in the mornings. Students on sports teams must rise and shine, however, because their team practices have been shifted from the afternoon to the morning. Because the gymnasium at Lee High School has been deemed safe, they are holding practices there.

Maureen Hawley, a freshman who plays junior varsity basket-

ball, said yesterday that the roof problem has already cost her team two basketball games, which will have to be made up at a later date.

The alternative schedule is reportedly in effect for just three days, and administrators say the roof will be repaired by Monday.

But School Committee Chairman Carol E. LePrevost, who stopped in at Central School yesterday to see how many students showed up, said she's somewhat worried that the problems might not be fixed by then.

Most teachers hauled their classroom supplies from the high school to the Central School in book bags, recycling boxes and other containers.

In Patricia White's computer class, students were learning about preparing resumes and job hunting, skills they will transfer to the computer when they get back to the high school.

White said she has enough contingency plans to last for a while.

"But if it goes longer than next week, I'll be in big trouble," she said with a smile.

At 7:30 last night, a long line of cars and school buses waited on High Street to pick up the students as the night shift drew to a close.

Gloria Malcolm Arnold Wins Award

Berkshire Courier 1/7/93 p.7

LEE — Gloria Malcolm Arnold has received first prize in painting in a sculpture and large works show at the Copley Society of Boston.

Her painting, "Manhattan Mir-

rored," is an oil on linen. Judges Mel Robbins and Tom Grabosky said its "light, drama, and reflections of a cityscape at night are extremely well done."

Hot Corner Club Meets Next Tuesday

LEE — The Hot Corner Baseball Card Club, sponsored by the Lee Youth Association, will hold its monthly meeting next Tuesday, Jan. 12, at 7 p.m. at the Community Center on Academy Street.

The meeting will feature a buy, sell, trade night for club members. Anyone joining the club that evening may participate.

The Hot Corner's purpose is to promote baseball collecting as a hobby. Those interested in obtaining information on club membership are invited to attend the meeting or call Joe Furgal of Golden Hill Road.

Berkshire Courier
1/7/93 p.10

Consultant backs golf course for Lee

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — The Florida consultant hired to conduct a municipal golf course feasibility study said yesterday the proposal is "very viable" but will require aggressive advertising and promotion to attract visitors with a specific interest in golf.

"I think it can be a real economic and political windfall," said Al Bechtel, president and owner of GIA, a Palm Beach consulting company hired by the town. "But it has to be done right."

In a telephone interview, Bechtel said people who visit the Berkshires tend to be tourists looking for culture, "not necessarily golfers." The Berkshire National Golf Course, a name he suggested to make the course stand out, would have to stimulate a new market of visitors entirely, with advertising in The New Yorker magazine, The Wall Street Journal, The New York Times and other publications.

Bechtel said he has performed 80 to 90 golf course feasibility studies around the world.

Town officials have not re-

leased the results of the study, which was delivered in mid-December, because negotiations are reportedly under way regarding the town's possible purchase of 130 acres off Fairview Street and Stockbridge Road.

Town Administrator Frank E. Abbondanzio would not comment on the nature of negotiations or the feasibility study itself, but he said that releasing the study results could jeopardize "active negotiations."

Former state Sen. John H. "Jack" Fitzpatrick contributed \$7,500 to the town to help pay for

the study, which Bechtel performed over a six-week period last fall. The total cost of the feasibility study will be \$12,000. The \$4,500 balance will be come due to GIA if the town decides to pursue the development project.

The Selectmen met in executive session Monday night to discuss the proposed golf course.

A Denver golf course development company, First Golf, has proposed the municipal golf course for Lee and would finance the project. Eventually the town would take over the ownership and operation of the course.

'Will' Plan For Jobless Is Revived

By Suzanne King

LEE — The "ECH Will Bill," which some 20 laid-off workers were hoping would help cushion the blow of unemployment that came at the stroke of 1993, died in the Senate during the final hours of the 1992 legislative session on Jan. 5, but a spokeswoman for Sen. Jane M. Swift, R-North Adams, said the bill was immediately refiled at the start of the 1993 session, on the 6th.

The bill, which Swift sponsored in the Senate, would amend a September law and allow the ECH Will workers who stayed on to close down the plant at the end of the year, to collect unemployment and severance pay.

The so-called "double dipping" amendment to an insurance bill passed in September, makes it illegal for laid-off workers to collect both unemployment and severance pay.

Workers at ECH Will who were laid off before September are collecting both, but those who stayed through December cannot.

James McKay of Great Barrington, who worked at the plant, formerly Clark-Aiken, for 19 years, said he and other workers from the plant called Swift's office "very frequently" to find out about the bill, but after Rep. Chris Hodgkins, D-Lee, pushed it through the House in a few days, Swift "sat down."

McKay scoffs at the idea that workers are "double dipping" by receiving unemployment and the severance bonus they negotiated last summer.

"It is the state who is doing the double dipping," he said, arguing that the unemployment insurance has already been paid for by their employer.

McKay said the severance pay is a bonus for past services.

"I'm not a big corporate executive who gets a big golden umbrella," after being laid off, McKay said. "We're all workers in the pit."

School Roof Patched; May Need Replacing

By Suzanne King

LEE — So far repairing the snow-damaged high school roof has cost the town an estimated \$179,250, Superintendent Henry Zukowski told the school committee on Jan. 5, but a much bigger job is yet to come, town officials agreed, and that could mean another few hundred thousand dollars in the near future.

Since Dec. 18, when school officials discovered the damage heavy snow had done to the high school's flat roof, emergency work has been in progress to inspect the roof and shore up the faulty beams.

The emergency work was expected to be complete by Jan. 11 when classes were scheduled to resume at the high school, but the selectmen agreed at their Jan. 4 meeting, that a new roof will likely be necessary before long and that, they said, could cost between \$600,000 and \$800,000.

After the emergency work is complete, the roof will be safe as long as it does not have to support more than a foot of snow, Selectman John DeVarennes said, but since the 20-year-old roof was originally designed to carry two feet of snow, he said, much more extensive repairs will probably have to be done to the steel structure.

"I don't think there is any secret about the fact that the roof has to be replaced," DeVarennes said.

School and town officials said all avenues of paying for the repairs will be explored to minimize the burden on the taxpayers.

"We are probably going to attack on several different fronts to find funding," Selectman Martin Deely said, mentioning state and federal aid and insurance funds.

Zukowski said, "We have no idea who will pay."

A special town meeting has been scheduled for Jan. 13 to allocate funding to pay for the emergency repair costs. Town officials placed \$300,000 on the warrant, but it looks like costs will be lower, Zukowski said.

Zukowski estimated the costs of the emergency work to be \$179,250, but he said it could reach \$200,000. So far, he said, approximately \$70,250 has gone for professional services — engineering, architecture, inspections and administrative costs, and \$109,000 has gone for actual repairs — masonry, carpentry and welding.

After an inflated winter vacation that started three days early and ended two days late, high school students finally headed back to school on Jan. 6, with second shift classes scheduled at the Central School from 2:30 p.m. to 7:30 p.m.

School Committee Student Representative Kelsey D. Scarpa told

Continued on Page A10

Berkshire Record
1/8/93 P.1

Low-Income Housing Project Coming to Lee

By Suzanne King

LEE — It looks like Clarke Court, the long awaited low-income housing subdivision that was scheduled to open last summer, may finally house its first tenants by the end of next week.

Rita S. Perry, of the Lee Housing Authority, told the selectmen on Jan. 4 that the 16-unit Marble Street project will likely be ready for its first tenants on Jan. 14.

The project was originally scheduled to open last July but has been held up by conflicts between the town gas inspector and the project's architect.

Before any tenants can move in, each of the low-income units must receive a certificate of occupancy, which must be approved by the gas inspector as well as the

building, wire and plumbing inspectors.

According to William J. Maroney, the LHA director, the gas inspector and the architect disagreed as to whether or not a duct had to be installed to provide outside combustion air for the gas water heater and heating unit.

The disagreement was the major cause of delay in the project, Maroney said, but the ducts are being installed and, as soon as the Board of Public Works receives the final plans, building inspector Robert Lester said at the selectmen's meeting, the permits will be issued.

The tile in the utility rooms of the houses that was within nine inches of the base of the heating unit had to be removed, Maroney said, because the tile is made of a

combustible material.

Of the 16 units, all but one, the handicapped accessible unit, have been filled with tenants from Lee, Maroney said. The LHA received 64 applications for the 16 units, but no Lee applicants qualified for the handicapped unit, Perry said.

Applicants were selected based on several criteria, Maroney said, but their income was the first consideration. If an applicant's income was low enough to qualify for the project, officials looked at the level of need and the number of people in the family. Lee residents were given preference, he said.

The tenants' rent is 30 percent of their net income, which is based on the number of people in the family, minus medical expenses, Maroney said.

Berkshire Record 1/8/93
VIVIAN M. GANGELL

LEE — Mrs. Vivian Maria Gangell, 87, of 1831 Middle-

Bellville Road, Mansfield, Ohio, formerly of Lee, died Dec. 29 at her home.

She was born in Lee on Oct. 22, 1905, and was the daughter of Egbert C. and Amanda (Down) Merrell.

She attended local schools.

She had lived in the Springfield area from 1946 until November, when she moved to Ohio.

Mrs. Gangell had worked as a seamstress for department stores in Springfield and then was self-employed.

She was a member of the Old First Church in Springfield.

She leaves a daughter, Betty Kenney of Mansfield; a sister, Asenath Merrell of Agawam; two grandsons and five great-grandchildren.

The funeral will be conducted at the convenience of the family. Burial will be in Fairmont Cemetery in Lee.

The Snyder Funeral Home in Mansfield is in charge of arrangements.

Lee School Roof May Be Replaced

Continued from A1

the board she and other students were "anxious to try this new deal out at Central."

"I think this is kind of neat, going at night instead of going at 8 a.m.,"

Scarpajoked. "We get to sleep late."

LePrevost answered that it was "good to hear positive things."

The music teacher stumbled upon a fallen tile on Dec. 18, and someone from the maintenance staff discovered the sagging roof when he was replacing the tile that day. Officials immediately closed the school and brought in engineering experts to inspect and repair it.

Several Lee contractors came to last week's selectmen's meeting to complain that they had not gotten a chance to do the job. Since the selectmen declared an emergency on Dec. 24, officials did not have to go through a formal bidding procedure to have the work done.

Berkshire Record
1/8/93 P. 10

The Berkshire Eagle, Friday, January 8, 1993 — B3

State to cover Lee's roof costs

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — The roof may have fallen at Lee High School, but the sky has not.

School Superintendent Henry T. Zukowski reported yesterday that the state Department of Education will provide funds to ensure that 100 percent of the emergency roof repair costs are paid, along with future replacement of the entire high school roof. However, there's a lengthy and detailed application procedure that must be followed.

"This is the first really good news we've heard," said School Committee Chairman Carol E. LePrevost yesterday.

Current estimates

The current estimate for the emergency repairs, which have been under way since Dec. 18, is \$179,250. But Zukowski said this week the final figure could be closer to \$200,000. A special town meeting is scheduled for Wednesday at 7:30 to appropriate funds to pay the bills, which would later be reimbursed.

Zukowski and LePrevost said the School Department is pursuing an insurance claim for all or part of the roof work, but that the state has agreed to pay any uncovered expenses.

However, the bigger cost will be

the complete replacement of the high school roof, a job that is projected to cost between \$600,000 and \$800,000. That work is not considered part of the current emergency and must go out to bid.

The school was shut down Dec. 18 when a teacher discovered a fallen ceiling tile, and further investigation revealed a number of faulty roof beams.

School resumed on Wednesday, with the entire Lee High School operation transferred to Lee Central School for evening classes, which run from 2:30 to 7:30. Zukowski seized on Lee Central School Principal Steven Cozzaglio's suggestion to move classes to the High Street building, despite invitations from superintendents of neighboring communities to host the Lee students.

Work is expected to be finished in time for school on Monday, but LePrevost said yesterday that the school is in disarray and may not be organized for classes on Monday.

A meeting is scheduled for 3 o'clock today at the high school to determine if the building can be reopened on Monday. Town Building Inspector Robert W. Lester will make the decision, based on a recommendation from engineer William Barry.

Lee to Abandon Old Fire Alarm System

LEE — The selectmen voted to abandon the old fire alarm system on Jan. 6, agreeing with Deputy Fire Chief Alan Sparks that the recently broken-down system was not worth repairing.

The alarm system connects several local business' and several

town buildings to the town switchboard. Repairing the system would cost an estimated \$20,000, Sparks said.

He said most of the calls that come through the system are false alarms anyway.

Kenneth LeBier, head of the

ambulance squad, pointed out that businesses can use private companies which will automatically contact the switch board if the alarm is sound.

Such a service would probably cost about \$200 a year, and \$500 for the initial hookup, LeBier said.

Locker Room Fate Weighed

By Suzanne King

LEE—A Planning Board hearing on the Locker Room sports bar's special permit application was standing-room-only on Jan. 5, when some 60 citizens, mostly bar patrons, jammed into the old courtroom at Town Hall.

Owners of the embattled Main Street bar had to apply for the special permit last September after the town's attorney on the case, Dennis Downing, advised the selectmen that town officials erred in not requiring the permit before the bar opened a year and a half ago.

The Planning Board will vote on the special permit application on March 1, Chairman Robert Birch said, but the case will probably be discussed earlier at the board's regularly scheduled meetings, he said.

The selectmen have said the permit is necessary because Locker Room owners knocked down an internal wall and expanded the bar into the contiguous building, which had been a Cumberland Farms convenience store. According to town bylaws, they said, this change in use required a special permit.

The selectmen have agreed to place an article on the annual town meeting warrant which would make special permits unnecessary in cases like this as long as the non-conforming use of the building is acceptable under the zoning bylaws.

Occupancy Certificate

But until the new bylaw is adopted, the Locker Room still has to obtain the special permit from the Planning Board before the town will finally grant a permanent certificate of occupancy.

Since the Locker Room opened

in June 1991, its owners have been chasing a permanent occupancy certificate, but have run into one obstacle after another.

Among the bar's relentless troubles is its central role in a legal battle that involves the bar, the Tristany family — the bar's closest neighbors and past owners — and the town.

Attorney Elizabeth Quigley, counsel to Locker Room owners Donald Lucy and David Eisenberg, urged the Planning Board to focus only on the issues relative to the special permit, but her 40-minute presentation at the Tuesday-night hearing invariably crossed the line to other aspects of the convoluted case.

Quigley pointed to the attempts her clients have made to "satisfy or appease" the Tristany family, saying her clients had installed an alarm on the rear door to prevent patrons from leaving that way, installed two additional bathrooms, hired extra help on busy nights and installed sound proofing and additional insulation.

Very Cooperative

Quigley also read a statement from Police Chief Finnegan, which described the present owners as "very cooperative," "excellent," and "great and fully cooperative."

"This is your very own police chief authorizing me to tell you

that these owners are excellent and very cooperative," Quigley said.

She also listed about a dozen local businesses and organizations that support the Locker Room owners. After this and similar statements from several people at the hearing, Attorney Bruce Rumph, representing the Tristany family, reminded the board that whether or not the special permit is issued should be based solely on the town bylaws.

"I have no doubt that Lucy is a great person and the Locker Room is a great place to go," he said, but that should have no bearing on the permit.

One of Quigley's arguments for granting the permit involved her claim that the Locker Room, formerly Tristany's Cafe, is grandfathered as a nonconforming structure and should, therefore, still be acceptable under the town's bylaws in its new use.

Stopped Using

Rumph, however, dismissed the argument, saying the Locker Room building is not grandfathered because the Tristany family stopped using it two years before they sold it to the Locker Room owners.

Birch said the Planning Board will seek advice from Attorney Downing as to whether or not the building is grandfathered.

Lee High pronounced safe for reopening on Monday

By Derek Gentile
Berkshire Eagle Staff

LEE — Building Inspector Robert W. Lester yesterday pronounced Lee High School safe and structurally sound, which means the building will be open again for classes Monday morning.

There was some waffling by school officials to make the announcement a conditional one, based on how well the cleanup work went over the weekend, but Lee Superintendent Henry T. Zukowski was adamant yesterday: The school will be open.

"We'll all be there," he said.

Inspector confident

Lester said that as soon as he gets a letter from the town's consulting engineer, William M. Barry of Pittsfield, he would remove the signs posted on the doors of the high school prohibiting entry. The letter was being drafted last night and Lester said he expected to get it today.

"The big issue for me was the safety issue," said Lester. "Right now, I feel confident the students

can return and be safe."

On Dec. 21, all classes at the high school were canceled after music teacher Charles O. DiNunzio, who was preparing for band practice in a room opposite the cafeteria, discovered a ceiling tile on the floor.

Further examination by school officials revealed the roof of the high school weakened in three locations: along the wall separating the music and art rooms in the northeast wing of the building, in the special needs area in the southeast wing and just inside the main entrance of the building.

Since that time, crews have been working nearly 24 hours a day to repair the roof. School officials had hoped to have temporary repairs completed by Jan. 4, but a report from a New York firm mandated permanent repairs to the areas in question.

Yesterday, James D. Gralla, administrator of buildings and grounds, said all the necessary repairs had been completed. The weakened roof trusses had been

strengthened by Berkshire Bridge and Iron Co. of Dalton.

In addition, the Pittsfield firm of Peter Francese and Sons Inc. has completed the installation of the shoring that is supporting the roof in the affected areas, he said. Air quality tests were taken in 20 locations throughout the school yesterday, and readings for particulate matter, particularly asbestos, were well within state safety guidelines, he said.

Gralla said the temporary shoring in the three weakened areas has been removed.

"The big thing now is to get the place cleaned up," he said.

The school's maintenance director, Neil Merwin, said he thought the cleanup could be done by Monday morning.

"We're going to have people working 10, 12 hours a day for the next two days, so I think we can do it," he said.

"We need two big days," said Gralla. "We're going to have our whole crew working in here [today] on a 12-hour shift. Depending on how far we get, we'll decide how many people to call in on Sunday."

On Thursday, a ray of sunshine fell on the situation when Zukowski reported that the state Department of Education will provide funds to ensure that 100 percent of the cost of the roof repairs will be covered. Current estimates for the work are at \$179,250, but Zukowski said he believes the cost will be closer to \$200,000.

With Lee High closed, students at the school have been attending Lee Central School from 2:30 to 7:30 for the past three days.

Great attitude

"The attitude has been great," said Superintendent Richard Salinetti. "I think everyone — students, teachers, administrators — has cooperated and worked together very well in a very tough situation."

"I expected no less," said school committee member Edward M. Lahey. "We have a very good group of kids here."

Salinetti said attendance had been 94 percent on Wednesday and 96 percent on Thursday, but dropped to 82 percent yesterday.

"I wasn't really surprised," he said. "It's tough to expect kids to come to school on a Friday night. We didn't know whether to tell them they were going to afternoon school or night school. But they just want to be back in their old building. And so do we."

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Former juror urges clemency

Lee man fights to ease battered woman's sentence

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Four years ago, Robert D. Lohbauer was the foreman of a jury that decided a precedent-setting murder case in which "battered women's syndrome" was used by the defense.

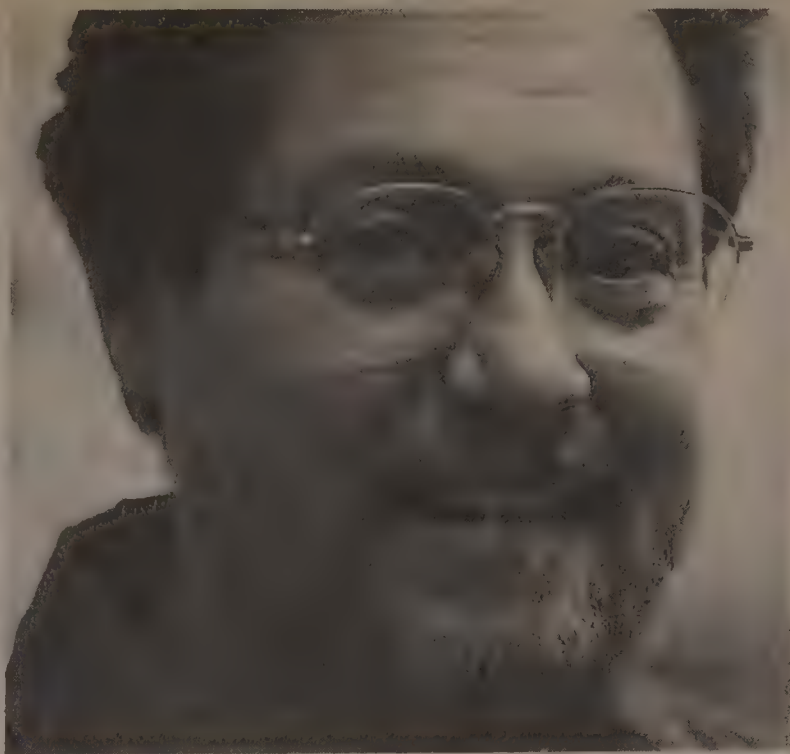
Lisa Becker Grimshaw's lifetime of fear and physical and emotional abuse by an alcoholic father, a boyfriend and finally by her violent husband gave jurors a compelling reason not to convict her of first- or second-degree murder in her husband's death. They convicted her of manslaughter — the least-serious resolution of the case short of acquittal — for luring her husband in June 1985 to a boat ramp along the Connecticut River in Chicopee, where two teen-age boys she knew beat him to death with baseball bats.

But the circumstances that swayed the jury away from a murder conviction garnered no sympathy from Judge John F. Murphy, who imposed the maximum sentence of 15 to 20 years in state prison.

Since Grimshaw went to prison in February 1989, Lohbauer, a special education teacher at Lee High School, has been outraged by the sentence. In November, he went to Boston to testify on Grimshaw's behalf before the state Advisory Board of Pardons, which is reviewing Grimshaw's case and the similar cases of a handful of other battered women.

"Notwithstanding the defense, I believe she had to bear some responsibility for her actions," said Lohbauer in an interview at his home on Prospect Street. "If I had known how the system would

JUROR, continued on A6



Leslie Noyes / Berkshire Eagle Staff

Robert D. Lohbauer was the foreman of the first jury in state history to hear a defense involving 'battered women's syndrome,' in the 1989 trial of Lisa Becker Grimshaw.

General News

Berkshire Eagle 1/11/93 A6

Former juror argues for clemency

■ JUROR, from A1

treat her, I would have held out for acquittal."

After the 1989 trial, another juror told the Daily Hampshire Gazette that "in convicting [her] of manslaughter, jurors were hoping a lenient sentence would be imposed."

The Criminal Justice Institute of Harvard Law School has prepared her commutation petition, a 33-page document detailing Grimshaw's tragic history and her remarkable efforts to educate and rehabilitate herself. She will have spent almost seven years in jail in February, including three years served awaiting trial.

Her petition for a commutation is pending.

A Berkshire County jury was seated in Grimshaw's Springfield trial because of excessive publicity about the case in Hampden County. The jurors were sequestered from Feb. 3 to 17, 1989.

They were the first jury in Massachusetts history to hear a defense involving battered women's syndrome, which at the time was just becoming understood as a serious psychological condition. The defense is allowed in only 12 other states.

The syndrome revolves around the constant fear of abuse, and even death, that pervades the lives of battered women. Dr. Lenore Walker of Colorado, an expert in the field, testified on Grimshaw's behalf.

"The threat of more and worse battering was constant," reads the petition for commutation. "The threat of death was part of the package.... She had no idea what he would do next.... She had endured years of physical,

psychological and sexual abuse."

In her trial testimony, Grimshaw said her husband, Thomas Grimshaw, had raped her repeatedly, once forcing her to perform oral sex while dripping boiling water over her. He had destroyed her clothing and her apartment and had hit their son. He was possessive, accusing, jealous and full of rage. When she became pregnant, he held a knife to her and threatened to cut the baby from her stomach, she said.

"I was always afraid of him," she testified. "I felt he was going to kill me or that he was going to hurt Chad again; I didn't know anymore."

Her husband ignored the restraining orders she obtained. She moved into her own apartment, but he stalked her and threatened her.

During an argument just days before the murder, Thomas Grimshaw stole Lisa Grimshaw's keys, and she was terrified that he would come into her apartment and attack her.

On another occasion, she had been nailing her windows shut to keep him out but he broke in, grabbed the hammer and used it to smash her face, knocking out her teeth.

Finally, two teen-agers she knew, Michael Ashey and Michael Bruyette, agreed to work him over for her. Despite allegations that she promised them money to kill him, she insisted she never intended for him to die. What she wanted, she said, was to give him a taste of his own medicine.

On the early morning of June 5, 1985, when she was 22, she picked up her husband at his job and told him she wanted to have sex

with him. She drove to a boat ramp in Chicopee, below a Massachusetts Turnpike bridge. Then she fled while Ashey and Bruyette set on him with baseball bats.

The next day, she turned herself in to the Chicopee Police.

Weeping on the witness stand four years later, she told jurors she had no choices in her life and just wanted the beatings to stop.

Lohbauer said he would have had no problem acquitting Grimshaw if she had killed her husband at a moment when he was attacking her. But because she was between beatings, the issue was more murky, even though the threat of a future attack was virtually guaranteed.

And because she was actively involved in delivering her husband to the attack site, he said, the jury believed she held a degree of responsibility that couldn't be ignored.

After the jury delivered its verdict, Lohbauer wrote to the judge, urging him to be merciful in the sentencing.

"After 15 days of intense involvement, my connection with this woman cannot end simply with the verdict.... It is this sense of responsibility that now impels me to offer an urgent plea for leniency as you consider an appropriate sentence.... She has suffered in ways that you and I, as men, can never fully comprehend," he wrote.

Later, when the case was appealed, Lohbauer wrote to Grimshaw's defense lawyer, Nancy Gertner, offering to lend support. But the conviction was upheld.

When the Criminal Justice Institute prepared the commutation petition, Lohbauer was asked to testify at the hearing in No-

vember. Other jurors have written letters as well, he said.

State Rep. Christopher J. Hodgkins, D-Lee, has also written to the governor asking for clemency. He described the murder as "an act of desperation."

Mary Prosser, a lawyer at the institute, said eight petitions were filed in similar cases after Gov. William F. Weld changed the guidelines for commutation. The new guidelines allow consideration of the defendant's history of abuse.

Grimshaw's is the fourth case to go before the Advisory Board of Pardons, which will make recommendations to the governor. If he favors the commutation, the petition goes to a hearing before the Governor's Council.

The hearing involved testimony from mental health workers, prison officials and an expert psychiatrist, said Prosser, all of whom stressed Grimshaw's remarkable development as a young woman. She has organized support groups for other battered women in prison, edited the prison newsletter, organized fund-raising events and works unsupervised outside the prison.

Because Grimshaw had no criminal record and no history of violence, sentencing guidelines called for a sentence of time already served awaiting trial, Prosser said.

"She is clearly no danger to the community," said Prosser. "This was a situational crime, not one that would ever be repeated.... She has a better understanding of how she got into the situation she was in and knows ways to avoid it. She has risen above the adversity in her life."

Evelyn C. Harrigan

LEE — Ms. Evelyn C. Harrigan, 67, of Hyde Place died Friday evening at Berkshire Medical Center.

Born in Philadelphia on May 5, 1925, daughter of the late John F. and Evelyn E. Guy Harrigan, she was educated there.

Ms. Harrigan had been employed as a payroll clerk in Philadelphia prior to her marriage. She moved to Pittsfield in 1947.

She was a communicant of Holy Family Church, Pittsfield, and enjoyed writing poetry and listening to music.

She was the wife of Arthur Mendonca, who died in 1963, and of Bruno Wojtkowski, who died in 1979.

She leaves two sons, David Mendonca of Green Island, N.Y., and Roy Hovey of Gilroy, Calif.; two daughters, Mrs. Laneta Dicranian of Pownal, Vt., and Mrs. Diane Widmaier of Norristown, Pa., and three grandchildren.

The funeral will be tomorrow at 8:15 from Devanny-Condron Funeral Home in Pittsfield with a Liturgy of Christian Burial celebrated at 9 at Holy Family Church there by the Rev. Frederick J. Banas, pastor. Burial will be in St. Joseph's Cemetery, Pittsfield.

Calling hours at the funeral home will be today from 4 to 7.

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Wounded college guard released from hospital

■ GUARD, from A1

"We're real happy," he said.

Teresa Beavers, who had worked at the college for high-school-age students for only three months, was on duty at the campus guard booth when she was allegedly shot at close range by sophomore Wayne Lo, 18, of Billings, Mont.

The shooting spree claimed the lives of a professor and a student and wounded three other students.

Lo, who surrendered to police without a struggle, has pleaded not guilty of murder and assault charges brought against him as the result of a grand jury indictment.

On phone with husband

On the night of the shootings, Beavers relieved another security guard for a few minutes at the guard booth near the entrance to the college. She was on the telephone with her husband when she said she was being approached by a man with a gun, who police said she later identified as Lo.

Bruce Beavers heard shots and his wife's cries and hung up to call the Lee emergency dispatcher, who contacted Great

Barrington Police.

He said that because her leg muscles were destroyed and her leg socket and pelvis shattered in the incident, "it's a high probability she won't be able to walk right again, but she probably will be able to walk with a brace."

He said she will also need a series of operations to reconstruct her "insides." She is still suffering from a stomach infection, he added.

Bruce Beavers said yesterday that workers' compensation has covered all his wife's medical bills and the necessary alterations to the house, more of which will be required to make the entire place handicapped-accessible.

He said they had not talked to a lawyer.

"Right at this point we're only worried about getting her better, and fortunately she is heading in the right direction," he said. "A whole lot of prayers and a whole lot of blessings are taking her in the right direction."

"It's been a horrible experience," Bruce Beavers said, "and yet it's been super at the same time. We've received cards from people all over Berkshire County, from all over the Northeast."

Wounded college guard goes home

By Abby Pratt
Berkshire Eagle Staff

LEE — Teresa Beavers of South Lee, the security guard critically injured in the Dec. 14 shootings at Simon's Rock College of Bard, went home from the hospital yesterday afternoon.

An ambulance took the 40-year-old woman from Fairview Hospital to her home, where she will receive round-the-clock nursing in a newly fashioned first-floor bedroom, according to her husband, Bruce Beavers.

It was exactly four weeks from the fateful night when she was assaulted with a semiautomatic rifle as she stood guard at the entrance to the campus in Great Barrington.

'Long way to go'

"She's still very sick and has a long way to go, but she's doing OK and continues to amaze the doctors by recuperating much faster than they thought she would," Bruce Beavers said yesterday.

Teresa Beavers faces months, if not years, of treatment and rehabilitation for leg and abdominal injuries suffered in the apparently random shooting spree, her husband said. He said she will probably never walk "right" again.

He said his wife's doctors thought it would be best, psychologically, for the first victim of the 20-minute rampage to be home with her family: her husband, disabled by a back injury he suffered at work, and four daughters, one of whom lives in Stockbridge.

GUARD, continued on A4

Lee inspector says he 'goofed' on two building permits

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Building inspector Robert W. Lester erred in granting building permits for the construction of two houses on Chestnut Street, a road the Highway Department considers inadequate for emergency vehicles, town officials learned last night.

"I probably goofed," Lester conceded last night in a meeting involving the Selectmen, Planning Board and Board of Public Works. "I probably should have sent them [the property owner] to the BPW. I must have been busy that night."

Needs certificates

Meanwhile, the two houses have been constructed and seven other lots are for sale there. But questions over the permit process and road safety have meant that builder Paul Giardina can't obtain the certificates of occupancy for the two existing houses and therefore can't collect his final construction payments.

The town's lawyer, Jerome Scully, has indicated the certificates must be released and the board agreed, pending approval of some driveway work done by Giardina. But BPW member John Piacquadio made it clear that the town can't guarantee emergency services to the houses on the road.

The meeting was called last night to determine just how the building lots and building permits were approved on a road considered inadequate. There were questions about whether Chestnut Street is a town road and, if not, why the lots were allowed. The dead end street meets Route 20 on a dangerously steep incline,

and is otherwise a narrow gravel country road.

Highway Superintendent J. Peter Scolforo said it took time to figure out that Chestnut Street is indeed a town road, a fact the Planning Board knew when the lots were approved.

Planning Board member Jill Groff said board's approval of the nine lots was all but required by state law, since Chestnut Street is a town road and the "subdivision-not-required" form was proper. The condition of a town-owned road is a responsibility of the Highway Department, she said.

She concurred later that some "trouble-shooting" could have taken place earlier, and that errors were made in a number of departments.

Once the Planning Board approval was in place, the building permit process began. The town procedure has been that various town boards "sign off" on building permits before they are granted, but Lester said he didn't present the permits to the BPW for approval.

Abandonment suggested

Selectman Martin H. Deely raised the possibility of the town's officially abandoning the road, which means the residents of the road would have to provide their own maintenance. But that suggestion didn't go over well, since the Planning Board's approval was based on the assumption that Chestnut Street is a town road.

Other suggestions were that residents of the road pay some "betterment costs" for improvements there, or that residents gather enough signatures for a town meeting article to raise town money for improvements.

Psyched Spartans surprise Lee

By Brian Sullivan
Berkshire Eagle Staff

Talk about your motivational tools.

Monument Mountain girls basketball coach Andy Troiano had his team share a spaghetti dinner yesterday afternoon before watching the movie "Hoosiers."

The film, which stars Gene

Girls' Basketball

Hackman, is about a small-town Indiana basketball team in the 1950s that does the improbable; it wins the state championship.

Well, things weren't that dramatic last night. But Monument did stuff defending Berkshire

County champion Lee High, 66-45.

"The kids were pumped," said Hackman, oops, Troiano. "I'm so happy for them. They played fantastic. We were up 20 points at the end and I was still nervous. I kept waiting for Lee to come back. But we played good team defense."

SPARTANS, continued on C3

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Jan 13, 1993

walkabout

By
Deidre Consolati



EXPLOSIONS: At the urging of a friend, Ruth Fenn, I went to the First National Bank in Lee a few weeks ago to see customer-services employee Chris Curtin about opening an account for Teresa Beavers. Ruth lives in South Lee and being a neighbor in all good ways, wanted to help the Beavers family during the crisis that ensued when Teresa, a security guard at Simon's Rock College of Bard in Great Barrington, was shot in the abdomen by a student who had, in the words of a friend, "just snapped." The Beavers' home is just before the railroad tracks in South Lee at the corner of Meadow and Pine streets. They rented the place from the Morehouse family and moved there from Stockbridge three months before the random shooting that dramatically changed the course of their lives.

Chris Curtin quickly started the paperwork and word went out that the account had opened. Bruce Beavers, Teresa's husband, called a few days later, grateful that the donations would help pay their rent and other necessities. The good news, he reported, was that workers compensation would fully cover the cost of his wife's injuries. At that point, he said, if she continued to stabilize, she would be coming home in six weeks.

A recent update from Chris showed that donations to the account have totaled close to \$700. "It's been pretty substantial," she said. "People have been really generous, especially around the holidays." One couple, she noted, left a large sum on the condition that they remain anonymous. The Lee community's desire to help was represented by the \$700, she observed, and she was sure that people in Great Barrington (where the shooting took place) had donated even more through another account set up there.

By happenstance, my son and I were in Dave's Sporting Goods store in Pittsfield on Dec. 16, the day after the story broke nationally. Dave's was where the alleged rampaging student, named Wayne Lo, had reportedly bought the gun that injured three people, including Teresa, and also killed two others. If the incident had affected the everyday routine at Dave's that day, it certainly didn't show.

Meanwhile, people began to dig into motives. What had provoked Lo, an emigre of Taiwan, to "snap"? Some speculated that Lo, in the United States for only five years, had been plucked from a culture vastly different from that at Simon's Rock. Although no one wondered who the victims truly were (anyone could ask their grieving families) some wondered if he had been an object of the racist hate that has touched and permeated every corner of America for the last decade. In a private school where elitism is the norm, was he, they speculated, not on his own hate trip (he had been described as a "bigot") so much as responding to hate? In the eyes of wealthy executives' sons and daughters at this well-to-do college in the Berkshires, Wayne Lo was most likely poor, unknown and an immigrant -- and possibly his worst failing was that he was an Asian, the latest in the long list of minorities Americans love to hate. (All those Eastern dollars upsetting our get-ahead world.)

County residents have joined ranks in support of Simon's Rock and why not? That its cultural contributions brighten the long, dark, dreary Berkshire winters is but one of its many assets. At the same time, this reprehensible crime begs for a truthful examination, an intense self-scrutiny beginning with the basic notions of rich vs. poor and its effect on American education. For who can doubt that related racism pervades all of our college institutions (UMass is but one example). And who can deny that this state of affairs needs an overhaul and that "all men are created equal" has been lost in our endless quest for material goods -- the goods upon which we, unfortunately, judge ourselves and others. This is what needs the most profound reformation if this nation and schools such as Simon's Rock are to survive.

RAISE HIGH THE ROOF BEAMS: Following the disclosure of the partial collapse of the interior roof beams of Lee High School, two questions have been on the lips of Lee residents as they chat in various locations about town.

The first is, did we build a lemon? This question, they suggest, could probably be answered by comparing maintenance costs for Lee High over the years with the cost of other high schools in the county built during the '60s.

The second query is, have we been giving a blank check to the school system? Townspeople note that although budget increases over the generations have been justified -- new bus routes, special ed, equal sports for both sexes and inflation to name but a few -- a dollar figure from a school-memorabilia exhibit at the Lee Library sticks in the craw. Total school budget for the town of Lee in 1955: \$105,000. Total school budget for 1991: \$4,786,497. (The number of students has remained the same.)

Berkshire Eagle
SPARTANS, from C1 C3/12

Lauren Pellegrino led the Spartans with a game-high 26 points while Anna Kinne had 16 points and Karen Kinne 19 rebounds.

Elsewhere, Mickie Turner tallied 36 points -- the most scored in Berkshire County this year -- to help Taconic over St. Joseph's 81-43. Turner, the league's leading scorer (22.2 points per game) went over the 30-point mark for the third time this year.

In other games, Lenox surprised Hoosac 54-48 while Mount Greylock decisioned Drury 48-37. Wahconah topped Mount Everett 58-23 while Pittsfield dropped a 47-35 contest to Brattleboro (Vt.) High in an independent contest.

Monument 66, Lee 45

Board to decide on Locker Room March 1

The Lee Planning Board has scheduled March 1 as the date for its decision on the permit application for The Locker Room sports bar.

The board held a public hearing last Tuesday, Jan. 5, at which attorneys for Locker Room owner Donald Lucey and the Tristany family (who sold the property to Lucey in 1991 but have since become outspoken opponents of the popular but controversial bar) debated over pros and cons of Lucey's permit application.

Under standard legal guidelines, the planning board has up to 90 days after a public hearing to decide whether to approve or reject a permit application. Board members expect that their review and deliberations will require the full 90-day period, which expires in March.

Census in progress

Teams of census-takers are out this month beating the bushes in Lenox and Lee to conduct annual population counts.

The census began on Jan. 1 and will continue through the end of the month. Information requested includes name, date of birth, occupation and the number of dogs residing in each household.

Lee Town Clerk Pat Carlino says that if all goes smoothly, the results should be tabulated by the end of February.

Lenox Town Clerk Lorita Bosworth has asked local residents to cooperate with the census-takers who will be collecting information either door-to-door or by telephone.

Results of the census are used for a number of purposes, including voter registration, school planning and allocation of state funds, among others. In case of questions, call 243-5505 in Lee and 637-5506 in Lenox.

Mary D. O'Neill

LEE -- Mrs. Mary D. O'Neill, 68, of 1306 Mallard Drive, Englewood, Fla., formerly of Lee, died Sunday at Venice (Fla.) Hospital.

Born in Troy, N.Y., on Oct. 10, 1924, daughter of Thomas A. Devane Sr. and Anna Morrissey Devane, she was a 1942 graduate of Vincentian Institute and also graduated from Samaritan Hospital school of nursing in Troy. She moved to Lee in 1953 from Vermont.

A registered nurse, Mrs. O'Neill worked at the former Cranwell School in Lenox. She was also employed by Kimberly-Clark Corp. for 13 years, retiring about five years ago.

She was active in various cancer support groups and was a tour guide at The Mount in Lenox.

She moved to Englewood seven months ago from Lee. While there, she was a communicant of St. Francis of Assisi Church.

She and her husband, Paul O'Neill, were married in 1946.

Besides her husband, she leaves three daughters, Miss Margaret I. O'Neill of Silver Springs, Md., Mrs. Nora A. Brown of Severna Park, Md., and Miss Kathleen L. O'Neill of Lenox Dale; two sons, Timothy C. O'Neill of Lee and Michael D. O'Neill of Rockville, Md.; a sister, Mrs. Margaret A. Hunt of Milan, N.Y.; two brothers, Thomas A. Devane Jr. of Albany, N.Y., and James H. Devane of Saratoga, N.Y., and 10 grandchildren.

A memorial service will be conducted in Lenox Dale at a later date.

Memorial contributions may be made to the American Cancer Society.

Ewing Funeral Home in Venice is in charge of arrangements.

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IN SHORT...

THE LEE AND LENOX LIBRARIES are jointly holding a reading-and-discussion series called *Different People, Different Places* beginning Thursday, Jan. 14, from 7 to 9 p.m. in the Lee Library gallery. Discussion will explore the legacy of Columbus's discovery of the Americas. To register call 637-0197 or 243-0385. Sessions will alternate between the two libraries.

THE BERKSHIRE TALKING CHRONICLE, a reading service for the visually impaired, is seeking volunteers to read local news and other material live and to assist in running the station. Call 684-0880 for more information.

ESSAYS AND ART WORK for the *Seventh Annual Real Women Essay Contest* will be accepted through Friday, Feb. 12, at Girls Inc., 165 East St., Pittsfield. The contest is open to kindergarten through 12th grade with the subject being famous and not-so-famous Berkshire County women. Art projects will not be judged.

LEE STUDENTS Jonathan Cohen, Jesse Horsford, Sarah Fix and Michael Kalinowski and parent Jane Bailey have joined music ensembles at UMass-Amherst and are preparing for a concert on April 24. The ensembles offer talented instrumentalists a chance for high-level performances by major wind-band composers.

LEE COMMUNITY TENNIS ASSOCIATION was presented the *Community Tennis Association of the Year Award* at the United States Tennis Association/New England Annual Conference for its "efforts to bring grass-roots tennis to the western Massachusetts area."

Lee High's roof repaired; focus turns to covering costs and long-term remedies

After a herculean push to repair the building's roof and clean up the construction debris, Lee High School reopened for classes on Monday.

But, while the immediate physical emergency has been resolved, dealing with the financial side is likely to be a long, complex process, said Lee School Superintendent Henry T. Zukowski.

The cost of the recent emergency work has been estimated at up to \$300,000, while a future roof overhaul may cost at least \$800,000. The issue will be taken up at a Town Meeting tonight (Jan. 13) in Lee Central School at 7:30 p.m.

The high-school building had been closed since Dec. 18 because of stress damage to the roof. After crews reinforced and repaired the roof, the building was officially certified as safe for reopening last Friday by Lee Building Inspector Robert W. Lester and consulting engineers. However, the building remained closed to normal youth activities until Monday, while the cleanup was completed.

"All of our custodians and maintenance staff came in over the weekend and did an excellent job of cleaning everything up," said Zukowski on Tuesday. "If you saw how the inside of the school looks now (compared to last week), you'd really

appreciate what a tremendous job they did."

Although reports have indicated that the state will provide complete financial assistance to cover the emergency repairs, Zukowski emphasized that any official agreement has yet to be made and it is not assured. He also emphasized it would likely supplement other funding, such as insurance payments or federal relief, rather than covering the entire amount.

Plans to renovate the roof were already being prepared before last month's emergency resulted in their being activated. Zukowski said finding the best solution will require a great deal of cooperation by officials at all levels of government to determine where and how to seek assistance. They must also decide how to incorporate the recent emergency costs into the longer-term roof project. "This will involve everyone, from the town counsel and selectmen to state and federal officials," he said.

Lee High was closed three days early for Christmas vacation after a fallen roof tile was discovered. High-school students returned from Christmas vacation last Wednesday (three days late), temporarily using rooms in Lee Central School.

town topics

Larson buys building in downtown Lee

As the owner of The Upstairs Basement consignment shop on Main Street in Lee for 23 years, Helen (Bunny) Larson says she has long wanted to buy property in downtown Lee. "I rent the space my shop is in and I always thought it would be great to actually own a piece of downtown," says Larson.

She recently got her wish when she and her husband Charles bought the building across the street from her shop, a two-story structure that includes Gatsbys and Helene's retail stores on the street level and two apartments above them.

Larson says she was attracted to the building because she loves historic struc-

tures. "We enjoy bringing old buildings back and this is a magnificent Victorian," she says, noting that they don't plan to alter its basic appearance. "It's part of the original architecture of the street and no one has messed it up. Too often, people ruin these old building with things like false fronts."

The major work they have undertaken is upgrading one of the apartments. "It hadn't been lived in in a long time, so we spruced it up," she says. She also hopes to retain the existing tenants. "I like the space my own shop is in and I don't plan to move into the new building myself," she says. "And the present tenants over there seem happy and hopefully they'll stay there."

Lee Land Trust sponsors walk

As its initial community activity, the newly formed Lee Land Trust is sponsor-

ing a public walk up to The Pinnacle, the highest point in the town, atop Golden Hill, this Friday, Jan. 15.

Last week, the land trust's application for legal incorporation was formally approved by state officials.

The land trust was formed by a group of Lee residents to preserve open space through land acquisition, providing related incentives for landowners and other methods.

In addition, members want to clean up and improve the overall condition of the town's parks and public lands through community efforts. This Friday's walk is the first of several planned tours of these sites to determine their condition and needs.

The tour will leave at 1 p.m. from the Golden Hill town forest parking lot on Golden Hill Road (off U.S. Route 20). It will lead up to the vista overlooking Laurel Lake. All interested members of the public are invited.

Berkshire Eagle 1/14/93 B1

Lee barn fire claims at least 10 horses

By D.R. Bahlman
Berkshire Eagle Staff

LEE — Officials are investigating the cause of a fire that heavily damaged a barn on Fairview Street last night.

The barn's owner, William H. Brunell, said that at least 10 thoroughbred horses, including four pregnant mares, died in the blaze, which was reported by his wife at about 7:30 p.m.

Most of the horses belonged to the family, but some were being boarded, Brunell said last night. Three of the animals were less than a year old, he said.

One horse was rescued, and it stood near a gate in a meadow as firefighters sifted through the smoking debris in the barn a few yards away.

'Whole life'

"Besides the horses' value, it's the time and effort you put in," said Brunell. "This is my wife's whole life. She's a horse trainer, and we were planning to breed horses. I guess we can't do that now."

Brunell praised the work of the Fire Department, observing that more than half of the structure was left intact.

"It was a great save," he said.

However, Brunell said that, despite the efforts of the more than 25 volunteer firefighters who responded to the alarm, it appears that smoke and flame damaged the walls and roof of the

FIRE, continued on B10



Photo by Mark Mitchell

Firefighters battle a blaze that killed at least 10 thoroughbred horses in Lee last night.

10 horses killed in Lee barn blaze

■ FIRE, from B1

section of the barn that was left standing.

"Unfortunately, the whole barn will probably have to come down," he said.

Propane concerns

State and local police blocked off Fairview Street at both ends, and a crew from Berkshire Gas Co. was summoned to take precautions concerning a tank of propane gas that is located near the Brunells' two-story, wood frame house.

Fire Chief Ronald Driscoll said that neither the tank nor the house was directly threatened by the fire.

Soaked and smoldering hay bales sent up billows of acrid smoke, and firefighters were still on the scene at a late hour last night to conduct their investigation and deal with possible flare-ups. Firefighters from Lenox covered the Lee station.

"Not much more can really be done tonight," said Police Chief Edward J. Finnegan.

Energy Answers buying space in Lee landfill

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Energy Answers Corp., the Albany firm that is building a \$2.3 million waste transfer station in Canaan, N.Y., has been awarded a contract to purchase the remaining disposal capacity in the Lee landfill.

Energy Answers' bid, submitted to the Board of Public Works, was the higher of two received and offered the town a payment of \$19.15 per ton to dispose of resi-

dential, commercial and light industrial waste at the landfill.

LB Corp. submitted another bid for \$12.10 per ton.

The board had hoped to receive about \$30 per ton, but the glut of landfill space around the state has forced down the price that municipalities can command.

The contract was awarded at last Monday's Board of Public Works meeting.

The town closed the Lee landfill about a year ago, and the

remaining unused capacity — estimated at about 20,000 tons — was to be sold in order to raise money for the state-mandated capping and closure of the landfill. The state has ordered that older, unlined landfills such as Lee's must be closed starting in 1994.

As part of the bid package, the contracting garbage company must agree to open the landfill two days per year to local residents, free of charge.

The town Board of Public Works had hoped to recoup about \$600,000 by selling 20,000 tons at \$30 per ton. But the lower bid means the town will receive a maximum of \$383,000. The cost of capping and closing the landfill is expected to be in the \$1 million range.

Energy Answers is preparing to construct a solid waste transfer station in Canaan to handle 450 tons of waste daily from Columbia and Rensselaer counties in New York and from Berkshire County.

The plans for the transfer station, which has generated a surge of opposition in the Canaan community, are being challenged by three Canaan residents who claim the business is inappropriate for the town.

However, the state and local permits awarded to the company

have been upheld by the courts and the company is confident in its ability to proceed with the project. Local residents have pledged to appeal the case further.

The Canaan transfer station would be on 33 acres the company purchased from Ellis "Bucky" Rouse, owner of the truck plaza at the interchange of Route 22 and the New York State Thruway.

Open landfill in March

Thomas E. Julien, project manager for Energy Answers, said yesterday that the Canaan facility will open in June, and that the Lee dump will be opened sometime in March.

He said the company expects to arrange disposal contracts with local haulers in and around Lee to dispose of garbage at the Lee landfill. He said the tipping fee that Energy Answers charges at the Lee landfill will be less than fees that the haulers are paying to dump local waste at incinerators in Springfield and Pittsfield.

"It will be advantageous to the local haulers," said Julien.

Julien said that if at the end of the year there isn't enough debris to fill out the contours of the landfill, additional waste will be brought from the Canaan transfer station.

Berkshire Eagle B10 1/14/93

Structural Defects Found in Lee High School Roof

Berkshire Record 1/15/93 P 1

By Suzanne King

LEE — It was not heavy snow that directly caused the high school roof to fail last month, structural engineer William Barry told town representatives at the Jan. 13 special town meeting. More likely, he said, the roof failed because its frame work was pulling a part.

"The failure," Barry said, "was the direct result of there being altered bar joists."

Barry said the roof is designed to hold three times more snow than fell during the mid-December storm that preceded the school's roof troubles.

"Theory would tell you that this building should have collapsed," Barry said, speculating that a two inch thick cement-type deck over the top of the roof trusses probably kept the building in tact.

"It's kind of like being held up by your bootstraps to a certain extent," he said.

During emergency work, Barry said, over 100 ends of bar joists, which had pulled away from the structure, were repaired. Only two repairs were not to ends of joists. Those were in the main corridor of the school.

Barry would not speculate as to why the members had failed.

Selectman John DeVarennes would also not comment on the failure.

"We're not going to open up the town to a liability claim," DeVarennes said. "Things are going on that are legal and above board."

Repairs so far has cost \$50,940, but town representatives unanimously voted to borrow a total of \$168,000, which will cover all anticipated costs.

Barry said the roof had been repaired so it is safe for the students, who finally started attend-

ing class in the building again on Jan. 11, but more repairs will be necessary.

He suggested that removing the 11-year-old membrane roof, which has become brittle, and taking off what remains of the building's first roof, would adequately relieve pressure on the joists to make the framework safe and up to code.

Officials have only made broad

Continued on A 8

Structural Roof Damage Found in Lee

Berkshire Record 1/15/93 P. A8

Continued from A1
speculations about what the repairs will cost, but Superintendent Henry Zukowski assured representatives that every funding avenue is being explored. He mentioned everything from insurance to state and federal aid.

Town treasurer Patricia Carlino said even if the town has to pay for

all of the repairs without any outside assistance, which is not likely to happen, the impact on the tax rate would only be about \$150,000 or \$.28 per \$1,000, for a 10-year, \$1 million bond.

School Committee Chairman Carol LePrevost said citizens should be thankful that there wasn't a major catastrophe.

Jeffrey T. Cook Arrives in Somalia

LEE — Navy Fireman Recruit Jeffrey T. Cook arrived recently off the coast of Somalia board the aircraft carrier USS Kitty Hawk in support of the relief effort, Operation Restore Hope.

He is the son of Harvey J. Cook of 41 Olive St.

Berkshire Courier 1/14/93 P. 11

One Simon's Rock 'Is Enough'

To the Editor:

Born, raised and a long-time resident of Great Barrington, I never heard anything very positive about Simon's Rock College.

Ten years ago, sharing my home for the summer with a student from the school, echoes of drug and alcohol abuse, wanton behavior, physical altercations, property destruction, and arson, all to the tune of staff apathy, would be heard.

Acquaintances would terminate school employment, voicing concern for the lack of campus discipline. Immediate school neighbors would complain of extreme noise.

A young mother with daughters expressed fear, and found summer in the neighborhood distressing, as open windows would allow the shrieks of profanity through.

Monday night's events tell me the conditions, long swept under the rug, finally spilled into the community.

Thursday evening, I stopped in on my neighbors, the Beavers, to drop off a donation from Jim Manley, manager of Aveline's Natural Foods store in Lee. It was suppertime, and

the Beavers girls were in the kitchen, one at the stove, one at the sink, another with a broom — bright, smiling faces, lovely young women filling in for their mom.

The week's diet of newspapers filled with photos of Halloween-garbed, sullen-faced students, captioned spouting sugar-coated, "save face" philosophy, had drained me, and visiting the Beavers was restorative.

In my prayers that night, I asked God "that never again would so precious and high a price (Teresa Beavers, wife, mother and breadwinner) be needed for a band of urchins to pursue their "newly found" independence; and a hope was offered that Simon's Rock's admissions director Brian Hopewell's media quote was true:

"Simon's Rock was unique and the only such school existing in the country."

One such school, in one lifetime, is much more than enough!

Ruth Smith Fenn
South Lee

Lee Says Inspector Erred on Chestnut Lots

By Suzanne King

LEE — Town officials agreed at a Jan. 11 meeting that the building inspector probably should have never issued building certificates for two Planning Board-approved lots on Chestnut Street.

"I probably goofed," Building Inspector Robert Lester said at the joint meeting between the selectmen, the Planning Board and the Board of Public Works. "I probably should have sent (the applications) to the BPW (as is the usual procedure). That particular night I must have been very busy."

Since Lester signed the building permits, two houses were built and Selectman John DeVarennes said Lester's mistake "may have been a \$50,000 goof."

Chestnut Street, a town way, is virtually inaccessible to town maintenance and emergency vehicles because of its narrow width. The unpaved road meets Route 20 at a dangerously sharp incline. Improvements to the road may be necessary, town officials said, and could be expensive.

The issue came up because Paul Giardina, who built the houses, needed the BPW to issue occupancy certificates for the houses before he could collect remaining construction payments.

Questions about the road's safety were holding up the certificates, but according to Town Counsel Jerome Scully, the board had no choice but to issue them.

The BPW agreed to issue the certificates, but placed a condition on them, saying the town

could not guarantee access to the houses.

When the situation first came to the BPW, the board was not even sure Chestnut Street was a town way. Superintendent Peter Scolforo determined from an 1801 map that it was, but officials questioned why no one had noticed the road's poor condition sooner.

The Planning Board approved the subdivision of the Chestnut Street property into nine different lots at two different times, in 1989 and 1992. The seven remaining lots are for sale.

Planner Jill Groff maintained that her board had acted legally in approving the lots.

"If the lots have the required frontage on a town way, we have to

accept it," she said. "We have no choice."

The incident raised questions, however, about what constitutes a town way. If Chestnut Street is still listed as a town way, officials agreed, there are probably other roads in town that should be abandoned.

Selectman Martin Deely raised the possibility of abandoning Chestnut Street as a town way, but other town officials disagreed, saying that would be unfair to the people who built houses on the street believing it was a town way.

The boards discussed the possibility of looking into having Chestnut Street residents pay betterment fees for road improvements, but no final decisions were made.

E.C.H. Will Closes Shop

LEE — E.C.H. Will Manufacturing, which two years ago employed 120 people locally to manufacture large paper-cutting machines, closed its doors at the end of the year. It has consolidated operations in Wisconsin. The company, owned by a Hamburg, Germany, firm, acquired the assets of Clark-Aiken in November 1989, according to local news reports.

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Berkshire Eagle B3 1/15/93

To her, 10 race horses lost in Wednesday fire were 'just like my kids'

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Becky Barnum's lifelong passion went up in flames Wednesday night when her horse barn caught fire, killing 10 racing thoroughbreds she had raised and trained.

"They were just like my kids," said Barnum yesterday. "Sometimes I spent more time with them than I did with my 1-year-old daughter."

Five of the horses were her own, and five were boarded horses she was training. One of her horses, Pickle, named for her father, survived the fire, as did the family dog.

Heat tape blamed

She said the fire was caused by an electrical problem with recently installed heat tape, a cord that wraps around pipes to prevent freezing.

State police Detective Lt. Robert Scott, assigned to the district attorney's office, confirmed that the fire was accidental and had been caused by the electrical malfunction.

Barnum, 27, owns the Fairview Street farm with her husband, William H. Brunell. Brunell works at the family business, R&W Inc., a local auto towing and wrecking firm. She indicated that they had some insurance but not enough to cover their loss.

Barnum said she was giving her daughter K.C. a bath at 7:30, and when she went downstairs, she saw the front of the barn on fire through a window.

She called the Fire Department, situated K.C. in her playpen and ran outside to the rear of the barn to open the doors and rescue the horses.

"But the horses were already down," she said. "The vet said they probably didn't last two minutes."

The horses, including four pregnant mares, died of smoke inhalation. Barnum said the dog had run into the barn, probably to get the horses out, but was overcome by smoke. A fireman was able to revive him, she added.

There was some insurance coverage on the horses, Barnum said.

HORSES, continued on B8



Photo by Alan Solomon / Associated Press

William Brunell stands in front of the remains of the family's Lee barn, where 10 horses died in a fire Wednesday night.

Her horses were like 'my kids'

■ HORSES, from B1

The fire engines arrived within five minutes, she said, despite the snowy road conditions, and the fire was put out quickly.

Barnum, who grew up in Egremont, was surrounded by horses as a child. Her father was a blacksmith, and they bought their first race horse in 1982. Her father died two years ago.

"This was a life dream, it always has been," she said.

The horses she has raised have raced at Suffolk Downs in Boston and in Foxboro, as well as at the Rockingham, N.H., track. They have also raced on the summer fair circuit, she said.

Yesterday Barnum didn't say whether or how she will replace the horses.

"It's hard," she said. "It's like replacing your kids."

Berkshire Eagle B8 1/15/93

Berkshire Record 1/15/93

EVELYN C. HARRIGAN

Lee — Ms. Evelyn C. Harrigan, 67, of Hyde Place died Jan. 8 at Berkshire Medical Center.

Born in Philadelphia on May 5, 1925, she was the daughter of the late John F. and Evelyn E. (Guy) Harrigan. She was educated in Philadelphia.

Ms. Harrigan had been employed as a payroll clerk in Philadelphia prior to her marriage. She moved to Pittsfield in 1947.

She was a communicant of Holy Family Church, Pittsfield, and enjoyed writing poetry and listening to music.

She was the wife of Arthur Mendonca, who died in 1963, and of Bruno Wojtkowski, who died in 1979.

She leaves two sons, David Mendonca of Green Island, N.Y., and Roy Hovey of Gilroy, Calif., two daughters, Laneta Dicranian of Pownal, Vt., and Diane Widmaier of Norristown, Pa., and three grandchildren.

The funeral was Jan. 12 from Devanny-Condron Funeral Home in Pittsfield with a Liturgy of Christian Burial celebrated at Holy Family Church there by the Rev. Frederick J. Banas, pastor. Burial will be in St. Joseph's Cemetery, Pittsfield.

Berkshire Record 1/15/93 B7

Spartans Trap Wildcats

Lee Big Three Shut Down; Underclassmen Get Job Done For Monument

GREAT BARRINGTON — Fans packed the Monument Mountain gym to near capacity on January 11 to watch the Lady Spartans (8-1) defeat the Lee High Wildcats (5-3), 66-45.

Monument's underclassmen galvanized the team to victory. Sophomore Lauren Pellegrino led the Spartans with 26 points and 15 rebounds. Freshman sensation Anna Kinne netted 16 points and grabbed six rebounds.

However, the real story was the Monument's defense. "Team de-

Monument	66
Lee	45

fense made the difference," said Spartan head coach Andy Troiano after the game.

Monument, currently in first place in the county's Northern Division, managed to successfully contain the Lee scoring triumvirate of A.J. Skowron, Kelsey Scarpa and Sarah Blaisdell. The Spartans held the three, who have been collectively averaging 38.0

points per game, to a total of only 12 points.

The bright light for Lee offensively was Allison Forfa who led her team with 15 points, including three treys.

In the first half, Monument had a high shooting percentage from the field. While Lee had a lot of steam coming down the court, they could not connect with the basket. Skowron and Scarpa moved the ball well down the court but were

Continued on B3

Berkshire Record 1/15/93 P. A6

MARY D. O'NEILL

LEE — Mrs. Mary D. O'Neill, 68, of 1306 Mallard Drive, Englewood, Fla., formerly of Lee, died Jan. 10 at Venice (Fla.) Hospital.

Born in Troy, N.Y., on Oct. 10, 1924, she was the daughter of Thomas A. Devane, Sr. and Anna (Morrisey) Devane.

She was a 1942 graduate of Vincentian Institute and also graduated from Samaritan Hospital school of nursing in Troy.

She moved to Lee in 1953 from Vermont. A registered nurse, Mrs. O'Neill worked at the former Cranwell School in Lenox. She was also employed by Kimberly-Clark Corp. for 13 years.

She was active in various cancer support groups and was a tour guide at The Mount in Lenox.

She moved to Englewood seven months ago from Lee. While there, she was a communicant of St. Francis of Assisi Church.

She and her husband, Paul O'Neill, were married in 1946.

Besides her husband, she leaves three daughters, Margaret I. O'Neill of Silver Springs, Md., Nora A. Brown of Severna Park, Md., and Kathleen L. O'Neill of Lenox Dale; two sons, Timothy C. O'Neill of Lee and Michael D. O'Neill of Rockville, Md.; a sister Margaret A. Hunt of Milan, N.Y.; two brothers, Thomas A. Devane Jr. of Albany, N.Y., and James H. Devane of Saratoga, N.Y., and 10 grandchildren.

A memorial service will be held in Lenox Dale at a later date. Memorial contributions may be made to the American Cancer Society. Ewing Funeral Home in Venice is in charge of arrangements.

Spartans Shut Down Wildcats' Offense in 66-45 Blitz

Continued From B1

thwarted in the paint by exceptional plays from Kinne and strong defensive moves from Pellegrino and Dawn Scarbro.

Early on, the red hot shooting of Kinne sparked the Spartans. With steady outside shooting and penetrating lay ups, the Spartans opened up a 10-2 lead. With 12:03 left on the clock, Scarpa tried to start a rally with a big steal but

failed when Kinne intercepted her pass and chalked up two more, 12-2.

Forfa and Scarpa brought the Wildcats within two, 10-8, after a 90 second scoring blitz.

Then with 10:01 left, Kinne pulled off a rotating double-pump fake which brought the house down and put her team up, 14-8.

Pellegrino then added three by successfully driving to the hoop, drawing the foul and making good

from the line, 19-10. She ended the half by nailing a fadeaway that sent the Spartans into the locker room with a 29-17 lead.

In the second half, Monument opened up a 58-32 lead with 7:06 to go primarily on the strength of Pellegrino inside jumpers off feeds from Anna Kinne camped out on the perimeter. With six minutes left, Lee realized it needed three point goals. Skowron hit one from straight out with 5:20 left to cut

Monument's lead to 31, 58-37.

Pellegrino drove for two on a pass from Scarbro with 3:42 to go, 60-37. In the last two minutes, Lee and Monument tied 4-4.

"Even though we had a 20 point lead, I never felt comfortable until it was over," said Troiano. While the Spartan head coach was ecstatic about the win, he still felt there was room for improvement. "We need to work on preventing turnovers," said Troiano.

Golden Knights Win DYC Tourney

Berkshire Record 1/15/93 B3

DALTON—The wearying effects of battling out of the losers' bracket became apparent in the fourth quarter of the championship game as the Great Barrington Golden Knights outscored the Lee girls, 8-2, en route to a 28-22 win in the Dalton Youth Center Tournament on January 10 at the Nessacus School.

Rebecca Jones led Great Barrington with 13 points. Jessica Wilcox and Erica Walczak each sunk eight for Lee.

Outlast Exhausted Lee Team in Finals

The Knights went undefeated through the tournament. In the first round, they knocked off the Catholic Youth Center, 44-29. Great Barrington cruised past North Adams, 5-26, in the quarter-finals. In the semis, Barrington edged out the host team, the Dalton Warriors, 32-28.

After a first-round bye, Lee succumbed to Dalton 55-54. In the first round of the consolation bracket, Lee blew by North Adams. Lee handled CYC, 48-43 and avenged its earlier loss to Dalton with a 42-34 win in the semis to face the Knights in the finals.

In the finals, the Knights drew first blood when ball handler Bindu Nelson wasted no time sinking a layup off the tipoff. It was a low-

Continued on B3

Golden Knights Go Undefeated in Dalton Tournament

Continued From B1

scoring first quarter ending with Lee on top, 5-4.

With a minute off the clock in the second quarter, Lee went up 7-4 when Wilcox drove and dished off to Walczak who buried the jumper.

It was Walczak again, a minute and 50 seconds later with a fadeaway jumper off a rebound that put Lee up by four.

Lee enjoyed its biggest lead of the game when Wilcox picked a loose ball and sunk a layup on a breakaway despite Nelson in hot

pursuit, 11-5.

The Knights responded, scoring six points in two and half minutes. Peggy Fallon hit the jumper, then Jones sunk her own rebound. Nelson tied the score with a successful drive down the lane.

With just 16 seconds left in the half, Walczak scored on a pass from Kristen Scheurer to give Lee a scant 13-11 lead.

It took the Knights just 25 seconds to tie the score as Jones popped a turn-around jumper. Point guard Emmy McManmorn put Lee up 15-13 with a long-range field goal. Dana Korn went coast-

to-coast with 5:15 left in the quarter to hand the lead back to Lee, 17-15.

Chrissy French tied the game with a touch-pass layup 70 seconds later.

Jones regained the upper hand for the Knights with a free throw with 2:23 to go and Fallon upped the lead to three on a pass from Nelson with 1:40 left.

Wilcox tied the score at 20 when she drove downtown and drew the foul 27 seconds later.

In the fourth quarter, Lee ran out of gas at both ends of the court, having had to play two games to

Barrington's one earlier in the day. Wilcox scored Lee's only points of the quarter going all the way with a layup 39 seconds into the quarter. From then on in, it was all Jones and Renee Trombley, each scoring four points. Jones tied the game at 22 by stuffing a rebound with 6:00 to go.

It was Jones again with a layup 2:30 left. Trombley iced two jumpers with under two minutes left to seal Lee's fate.

Lee will get a rematch as it travels to Barrington on Saturday, Jan. 16 to face the Knights at 7:00.

Lee VNA appoints four to new positions

LEE — Four area residents — Betty Chludzinski, Jane Comalli Carmel, Anne M. Russo and Ann Barrett — have been appointed to positions at the Lee Visiting Nurse Association, said Paula Schutzmann, executive director of the agency.

Betty Chludzinski was appointed associate director, a new position at the agency. A registered nurse, Chludzinski has been active in health care administration and education in Western Massachusetts.

She developed the Berkshire HealthWorks program at Berkshire Medical Center and, when employed by the Massachusetts Department of Public Health, coordinated numerous health

campaigns, including a large-scale cholesterol screening in the area in 1987.

Both the Berkshire HealthWorks program and the cholesterol screening were cited as outstanding health promotion programs by the U.S. Department of Health and Human Services. In addition, she conducted a childbirth education practice in Berkshire County for a number of years.

She graduated from St. Luke's Hospital School of Nursing, American International College and Russell Sage College; she has also taken numerous graduate courses at the Harvard School of Public Health.

Chludzinski lives in Windsor

with her husband Theodore. They have four adult children.

Jane Comalli Carmel was appointed director of clinical services and will oversee all professional services including nursing; physical, occupational and speech therapy, and medical social services.

A certified enterostomal therapy nurse, Carmel will broaden the agency's services by including consultation for wounds, ostomies and incontinence problems. She has previously held various positions at Berkshire Medical Center, and most recently she served as a nursing clinical development specialist. She is also a part-time clinical instructor in the nursing program at Berkshire Community College.

Carmel serves on American Cancer Society committees both locally and at the state level. She is the Berkshire chapter president of the United Ostomy Association and chairs the education committee for the New England region of the Wound Ostomy Incontinence Nurses Society.

She is a graduate of the Providence Hospital School of Nursing and holds a bachelor of science degree in nursing from the SUNY and a master's degree in nursing from Russell Sage College. A native of Lee, Carmel lives in Pittsfield with her husband Clifford.

Anne M. Russo, registered nurse, was appointed supervisor of the Homemaker/Home Health Aide Department, where she will oversee a staff of 56. She has previously been employed in the Adult Family Care Program at Elder Services of Berkshire County and in supervisory positions at Hillcrest Hospital and North Adams Regional Hospital.

She graduated from Jeanne Mance School of Nursing in Burlington, Vt., and is a member of the American Nurses Association and the Massachusetts Nurses Association. Russo lives in Pittsfield with her husband, James; they have four adult children and two grandchildren.

Ann Barrett, the former home health aide supervisor, will assume new responsibilities for total quality management at the agency. Also a registered nurse, Barrett is a graduate of the University of Vermont. She currently is studying for a graduate degree in organizational management at Antioch College of New England. She resides in Sheffield with her husband, David, and their two sons.

Schutzmann stated that the agency's caseload has doubled in the past year. The 80-year-old agency, which now has a staff of 123, provides services in 35 towns, primarily in Central and South Berkshire County; the agency also serves a few towns in nearby Hampden and Hampshire counties. She attributed the growth to the increasing demand to provide health care in the most cost-effective way.

The Berkshire Eagle, Monday, January 18, 1993 — B3

Lee teachers to decide how to make up days

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Just how the lost school days will be made up at Lee High School will depend in part on the consensus of the teachers, said Superintendent Henry T. Zukowski.

"The calendar will probably be changed with the teachers' suggestion and the School Committee's approval," Zukowski said yesterday.

Through a combination of "snow days" and days off due to emergency roof repairs, Lee High students have lost a total of eight days of classes since December. Five days were lost because of the roof problems, which have since been fixed.

Zukowski said the state Department of Education has waived two of those days, leaving only six days to be made up.

The school calendar is based on a 185-day year, with the assumption that five days may be lost because of snow or other weather conditions. With no snow days, classes would be released on the 180th day.

The Lee Teachers Association will have a meeting of high school faculty members tomorrow to discuss scheduling options, said its president, Neil F. Clarke.

Clarke said he expects the teachers will suggest holding classes on Good Friday, when

school is normally not in session. The remaining five days could be made up within the 185-day calendar, at the end of the school year. If that decision is made, classes will extend until the last full week of June.

"The thing that's utmost for us is that the students get quality time," he said.

Clarke said he thinks teachers and parents won't want to shorten the school year by having sessions during a scheduled vacation in either February or April. People have made travel plans they might not be able to change, and some students are scheduled for class trips abroad.

He said the teachers' recommendations could be delivered to the School Committee as early as tomorrow night.

School board Chairman Carol E. LePrevost has said she isn't eager to extend the school year into late June, when many students might otherwise be starting summer jobs and others are simply distracted by the approach of summer.

She said she would rather see them make up the time during a vacation week or even on a few Saturdays.

"Not that many people can afford vacations these days," she added.

On the other hand, she said, the teachers' wishes might prevail in this case.

B. Eagle 1/19/93 B3 William E. Boustead

LEE — William E. Boustead, 82, of Stockbridge Road died Jan. 3 at Victory Memorial Hospital in Waukegan, Ill., where he was visiting his daughter over the Christmas holidays.

Mr. Boustead was employed for many years by Berkshire Truck Plaza in West Stockbridge.

He was a member of the Trinity Episcopal Church in Lenox. He was a 32nd-degree Mason.

His wife, the former Lucille Walker, died in 1969.

He leaves a daughter, Mrs. Jacqueline Nagode of Gurnee, Ill.; a brother, Samuel Boustead of Riverdale, Ill., and three grandsons.

The funeral and burial took place in Chicago.

A memorial service will be conducted Saturday, Jan. 30, at 4 at Trinity Episcopal Church in Lenox.

Memorial donations may be made to a charity of one's choice or to Trinity Episcopal Church.

School board votes tonight on free clinic for Lee High

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — If the School Committee gives the green light tonight, a free health care clinic for students will open at Lee High School by the end of this month.

The co-chairmen of the Health Advisory Board, which has been planning the clinic for several months, and a consulting physician will make a presentation to the School Committee tonight.

Co-chairman Kathleen Bort, also the high school's dean of students, said yesterday the advisory board has visited various school-based clinics to compare the services offered and the various restrictions at different clinics. The consensus among Lee's advisory board members is that the physicians should be no more or less restricted in the school clinic than they would be in their own offices, she said.

"We looked at facilities that were extremely restricted and limited because of liabilities and rules, and at more open-ended facilities as well," said Bort. "With the trust level of the School Committee and the community we really didn't want to box ourselves in with so many dos and don'ts so we can't operate."

Parental permission

To receive care at the school clinic, students must have a permission slip signed by a parent or guardian. A single permission slip would cover as many clinic visits as a student needs.

The idea of establishing a school clinic came about last year during a polarized debate in the community regarding whether condoms should be made available to students in the high school rest rooms.

School officials and teachers were opposed to the idea of the schools' taking responsibility for that aspect of young adults' sex lives without offering any counseling or advice on the subject. They were receptive to the notion of non-school professionals advising students.

Lee High School nurse Joan Piacquadio, the other co-chairman of the advisory board, later revealed that there are many Lee students with a variety of health problems and no access to health care, for financial reasons or because of family problems.

Counseling, birth control

The school clinic idea was seen as a solution to providing students with counseling regarding sexual activity as well as making some routine health care and screening available.

Asked whether the clinic will provide birth control, Bort replied that the staff can provide any care they would provide in their own clinics.

Bort said the clinic will start out by operating two hours per week. It will be staffed by a physician's assistant, who will refer to a doctor any patients who need additional medical attention. Dr. Robert Wespiser, who has a practice at Suburban Medical

Associates, will be the primary physician available at the clinic. Dr. Michael Kaplan of Hillcrest Health Center, also in Lee, will provide backup service, said Bort.

The doctors will arrange for any necessary follow-up care at their respective clinics on Stockbridge Road.

Both doctors have been involved in setting up the clinic program. Wespiser will address the School Committee tonight.

State grant

Last year Bort obtained a \$15,000 health education grant from the state Department of Education to implement the clinic program. A portion of additional state school funds for Lee brought the total amount available to more than \$20,000.

The DOE grant specifies that \$10,000 is earmarked for paying staff at the clinic. The other

\$5,000 is intended for community health education programs.

Bort said education programs are already getting under way. In November, a workshop on stress management was sponsored, and on Jan. 27 a workshop on weight management will be held, she said.

The school clinic doesn't yet have a name. The high school will sponsor a contest in which the name will be picked from among student suggestions, Bort said.

In addition, a student "health council" will also be formed to allow students input into deciding what services should be added at the clinic.

"In some ways I wish it had opened sooner, but when it opens it will open with a good beginning," Bort said.

She said school officials have no clue how popular the clinic will be.

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Lee board OK's opening of free clinic for students

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — The School Committee voted 4-0 last night to approve the opening of a free clinic at Lee High School, starting Jan. 27, for all of the town's public school students.

Dr. Robert Wespiser of Suburban Medical Center, who helped get the plan off the ground and who will staff the clinic office with a physician's assistant, said Lee's initiative is "precedent setting."

"This will be very new for a school this size," he said. "And while there has been some frustration because of that, there's a real undercurrent of excitement."

The committee commended Wespiser, Lee High School nurse Joan Piacquadio and Dean of Students Kathleen Bort for their efforts to open the clinic. It is funded partly with \$10,000 of a \$15,000 health education grant from the state Department of Education and additional School Department funding. The other \$5,000 in state funds is earmarked for school and community health education.

The board also supported the clinic's stated mission: to provide on-site health care and to teach students how to get medical services.

Wespiser explained that the care available at the clinic will be free of

CLINIC, continued on B8

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Free clinic to open at Lee High School

■ CLINIC, from B1

charge. But at some point in the future — particularly after the three-year state grant runs out — students who have health insurance might be billed, in order to raise funds to keep the clinic open.

Piacquadio and Bort said they will pursue other private and public grants to keep the clinic going.

Open Wednesday mornings

Bort said the clinic will operate in the existing school health office on Wednesdays between 8:30 and 10:30 a.m. A physician's assistant will be on hand for two hours, with Wespiser available for the last hour to handle any medical matters the assistant refers to him. Hillcrest Health Center, also in Lee, will also be involved in staffing the clinic on some occasions, said Wespiser.

Students must obtain a parental permission slip once during each school year authorizing them to use the clinic, Bort said.

Wespiser stressed that the services available to students will be similar to those offered at his health clinic.

School Committee Chairman Carol E. LePrevost said she received a phone call yesterday from a representative of the Pioneer Valley Right to Life organization who said he objects to such school clinics. He complained that the clinics foster sexual activity, LePrevost conveyed.

Wespiser took exception, saying that only 10 percent to 12 percent of students seek clinic attention at a Holyoke school for matters relating to sexual activity or birth control.

"We do not wish to become controversial," said Wespiser, "and we don't want to offend anyone's sensibilities.... Our mission isn't one of bringing services or making referrals that aren't already taking place within the community."

Lee resident Nelson Daley asked Wespiser whether doctors would contact parents if, for example, a daughter came in for a pregnancy test.

Encourage communication

Wespiser replied that his practice is to encourage communication between parents and their children, especially in cases where the parents have expressed a prior concern.

However, state law is clear that minors are entitled to seek medical attention confidentially, without their parents' knowledge.

"A student's right to get health care is protected," he said, but he added that his goal is to "encourage communication and respect."

Daley said he suspects most parents don't know that doctors don't have to share medical information with the parents of a minor.

In other business last night, the School Committee voted unani-

State law is clear that minors are entitled to seek medical attention confidentially.

mously to change the school hours of 5th and 6th graders to bring their schedules in line with those of 7th and 8th graders.

Lee Central School Principal Steven Cozzaglio said the change will improve scheduling and eliminate after-school transportation problems for the 5th and 6th graders. The new hours will be 8 a.m. to 2:30 p.m., starting Jan. 25.

The board also:

► Voted to hold classes at Lee High School on Friday, April 9, which is Good Friday, in order to make up a day of school missed due to roof repairs.

► Approved the hiring of a special education teacher and special education aide.

► Authorized a number of different school employees to transport students in their vehicles.

► Continued discussions regarding the fiscal 1994 school budget, which is currently about 3.9 percent above the \$4.75 million budget for the current fiscal year. Superintendent Henry T. Zukowski said he is optimistic that he will be able to cut another 1.4 percent from the budget to keep it in line with the maximum 2.5 percent increase for which he is aiming.

Lee tax collector seeks new bylaw on permits

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Tax Collector Janice G. Smith, whose duties have included keeping track of the Oak 'n Spruce Resort's unpaid taxes, has initiated an effort that would block the issuance of building permits to property owners whose taxes are not paid up to date.

The proposed new bylaw, similar to ones already in place in some towns, would have to be passed by the annual town meeting representatives in May.

The Oak 'n Spruce Resort, a development of time-share condominiums, obtained a building permit last fall to construct a \$450,000 motel and conference center on the Meadow Street property. But at that time the resort owed — and still does — more than \$76,212.98 in fiscal 1992 property taxes, plus 14 percent interest. At least another \$14,000 in water and sewer fees is outstanding as well, town records indicate.

Smith, who is in charge of collecting the town's taxes and other municipal fees, said there are other property owners who have obtained building permits while their taxes are outstanding.

"This is the big one," she said of Oak 'n Spruce. "They're such a big taxpayer."

Bankruptcy protection

In fiscal year 1992 — a year in which Oak 'n Spruce was in Chapter 11 bankruptcy protection — the town billed the resort for \$168,000 in property taxes. The resort paid \$92,785.42 in taxes, plus \$17,194.58 in interest for that year. The bankruptcy status ended in March 1992.

Efforts to reach the resort's chief executive officer, Ralph

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MacPhail, to determine why the balance of the fiscal 1992 taxes haven't been paid were unsuccessful.

The issuance of a building permit while taxes are outstanding has irked some local residents, particularly Joseph J. Castronova, a member of the Berkshire Alliance for Open Government and a longtime critic of the Oak 'n Spruce tax abatements.

Abatements

In fiscal years 1990 and 1991, years in which the resort began experiencing serious financial trouble, the town granted it property tax abatements totaling \$104,605.28. At that time the resort was in tax title, which should have precluded the abatements, Castronova contends.

Smith said yesterday that the resort is up to date on its fiscal 1993 taxes but hasn't yet made payments on over \$12,000 in fiscal 1993 water and sewer bills, which are due in March.

In June, the outstanding taxes and interest will be placed in tax title if they are still unpaid, Smith said. At that point the interest on the unpaid account rises to 16 percent.

Lee cagers snap 3-game losing streak

LEE — Pete DiGrigoli came off the bench to score a season-high 16 points, and Lee broke open a close game with a 13-2 run at the start of the second half last night as the Wildcats celebrated the return to their home gym with a 67-44 Southern Division boys' basketball win over Mount Greylock.

"It's nice to be able to go to

your own locker room," said Lee coach Matt Capeless, whose team broke a three-game losing streak with its first game in its home gym in nearly a month.

Dave Clark, who scored seven straight points during the critical 13-2 run, and Jeff Puleri each added 15 points for the Wildcats, who improved to 6-5 overall, 1-1 in

the division. Ryan Hereck also came off the bench to lead the Mounties with 14 points, and was the only Greylock player to score more than five. Greylock's scoring leaders Jason Sullivan, Tim Flaherty and Colin O'Neil were held to a combined 14 points.

"They're a jump-shooting team and we were getting the ball inside," said Capeless, whose team

broke open a tight 23-17 halftime lead with high-percentage, 13-for-21 shooting in the second half.

Puleri contributed 10 rebounds, Clark seven rebounds and four assists and Kevin Burch seven assists for Lee. Greylock (4-6 overall, 1-1 league) had a two-game win streak halted.

The Greylock jayvees won, 55-41.

Lee Visiting Nurse Assn. Names Four from Area

LEE — Paula Schutzmann, executive director of the Lee Visiting Nurse Association, Inc., has announced the appointments of four area residents.

Appointed are Betty Shalley Chludzinski as the agency's associate director, a new position; Jane Comalli Carmel, director of clinical services; Anne M. Russo, supervisor of homemaker/home health aide department; and Ann Barrett, former home health aide supervisor, now responsible for total quality management at the agency.

Ms. Chludzinski, a registered nurse, developed the Berkshire HealthWorks program at Berkshire Medical Center and, while with the state Department of Public Health, coordinated several health campaigns, including a large-scale area cholesterol screening in 1987, the agency said.

Both programs were cited as outstanding health promotions by the federal Department of Health and Human Services.

Ms. Chludzinski also conducted a childbirth education practice in Berkshire County for many years.

She graduated from the former St. Luke Hospital School of Nursing, American International College and Russell Sage College, and has taken graduate courses at the Harvard School of Public Health.

A Great Barrington native, she lives in Windsor with her husband, Theodore. They have four grown children.

Ms. Carmel will oversee all professional services, including nursing; physical, occupational and speech therapy; and medical social services.

A certified enterostomal therapy nurse, Ms. Carmel will broaden the agency's services by including consultation for wounds, ostomies and incontinence problems, the Lee VNA said.

She has been nursing clinical development specialist at Berkshire Medical Center and a clinical instructor in the nursing program at Berkshire Community College.

Ms. Carmel serves on local and state committees of the American Cancer Society and is president of the Berkshire Chapter of the United Ostomy Association. She also heads the New England region's education committee of the Wound Ostomy Incontinence Nurses Society.

A graduate of Providence Hospital School of Nursing and the University

of the State of New York, she has a master's degree in nursing from Russell Sage College.

A native of Lee, she lives in Pittsfield with her husband, Clifford. They have two adult children.

Ms. Russo will oversee a staff of 56 in the homemaker/home health aide department. She has been employed in the adult family care program at Elder Services of Berkshire County and has held supervisory positions at Hillcrest Hospital and North Adams Regional Hospital.

She graduated from Jeanne Mance School of Nursing in Burlington, Vt., and is a member of the American Nurses Association and the Massachusetts Nurses Association.

Ms. Russo and her husband, James, live in Pittsfield. They have four children and two grandchildren.

Ms. Barrett, also a registered nurse, is a graduate of the University of Vermont and is studying for a graduate degree in organizational management at Antioch College of New England.

She and her husband, David, and their two sons reside in Sheffield.

Lee VNA's caseload doubled in 1992, according to Ms. Schutzmann. The 80-year-old agency has a staff of 123 and provides services in 35 towns, primarily in central and southern Berkshire County. It also serves a few towns in nearby Hampden and Hampshire counties, she noted.

Ms. Schutzmann attributed the agency's growth to an increasing demand to provide cost-effective health care.

"Homecare is a viable way both to reduce the length of hospital stays and also to prevent or delay the need for care in a nursing home," she said.

Berkshire Record 1/22/93 CLARISTE VERHEYN

LEE — Mrs. Clariste "Gladys" Verheyne, 87, of Berkshire Hills North, formerly of Curtis Apartments in Lenox, died Jan. 14 at the nursing home.

She was born in Springfield on Dec. 20, 1905, daughter of Alex and Donelda (Sorel) Therrien.

She spent her younger years in Holyoke and was educated at the Precious Blood School there.

Moving to Lee in 1940, Mrs. Verheyne worked at High Lawn Farm, running its boarding school until 1952. She then began working at the former Foxhollow School for Girls, where she operated the kitchen. She was last employed for the O.D. Street family in Lee as a housekeeper and cook, retiring in 1978.

She moved in 1957 to Lenox Dale, where she made her home until moving to the Curtis Apartments in 1981.

She performed in minstrel shows in Lee, Lenox and Pittsfield in the 1970s, loved gardening and was active in church bazaars, contributing her knitting and various other crafts.

She was member of the Catholic Daughters at St. Vincent de Paul Church in Lenox Dale and a member of the Senior Citizens Club in Lenox.

Her husband, Marcel F. Verheyne, whom she married Aug. 1, 1928, died in 1983.

She leaves two sons, Donald F. Verheyne of Flint, Mich., and David A. Verheyne of Pensacola, Fla.; two daughters, Constance Rudnick of Orman Beach, Fla., and Joan M.

Berk. Courier 1/21/93 P.2 Angelo J. DiGrigoli

LEE — Angelo "A.J." DiGrigoli, 75, of Route 102 in this town and 1231 Yale Drive in Holiday, Fla., died Jan. 14 at New Port Richey Hospital in Florida.

Born in Rochester, N.Y., March 15, 1917, he was the son of Angelo and Ursula Lombardo DiGrigoli. He came to the Lee area at the age of six months and was educated in Lee schools.

After finishing school, he worked at the A&P Supermarket until entering the Army and serving in World War II.

On March 5, 1945, he married Jennie M. Ballato.

He owned and operated several grocery stores in the area. In the early 1960s, he built Angelo's Drive-In Restaurant, which was located on Housatonic Street. He owned and operated that until retiring in the mid-1970s.

He was a communicant of St. Mary's Church and a member of the Sons of Italy, Veterans of Foreign Wars in Lee, Knights of Columbus, and United Commercial Travels in Pittsfield.

He was a Berkshire County deputy sheriff.

Besides his wife, he leaves a son, Anthony J. DiGrigoli of Tampa, Fla.; a daughter, Joanne T. Crawford of Lee; two sisters, Mrs. Josephine D. Perrone of Lee and Mrs. Mary Buscemi of Florida; and one grandchild.

The funeral was Jan. 20 from the Kelly Funeral Home in Lee with a Liturgy of Christian Burial at St. Mary's Church in Lee.

Burial was in St. Mary's Cemetery. The family suggests that donations may be made to the Lee Visiting Nurse Association in care of the funeral home.

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Lee Still Under Consideration As Site of Tropical Rain Forest

By Suzanne King

LEE — The New England Tropical Conservatory is still several months away from finding a home for its proposed multi-million dollar rain forest complex, executive director W. Scott Hoover said, but the project, which has recently grown to also encompass a California biotech firm and an Ecuadorian land foundation, is still looking in Lee for a possible site.

Hoover said Lee's close proximity to the Turnpike and what he termed the community's "professional attitude," means that Lee is still high on the list of communities being considered for the project, but other Berkshire County sites and at least one out-of-state site are also in the running, he said.

Mary Bradbury, Chamber of Commerce president and one of the major proponents behind bringing the tourist attraction to Lee, said she and other community leaders are "still communicating" with NETC officials. She would not say where or how seriously the organization is looking in Lee.

Hoover said he hopes the conservatory's recent introductory agreement to collaborate with the Shaman Pharmaceutical

Company, a California-based biotechnology firm, will mean "huge economic potential" and propel the project forward.

Corporate Possibilities

"This is a stepping stone into corporate possibilities," he said. Already the Shaman Pharmaceutical has paid the conservatory \$30,000 for the NETC logo. In the future, Hoover said, the conservatory expects to work with the San Carlos, Ca., company, gathering and propagating plant species for its drug research.

The biotech company specializes in studying ethnobotanical sources, Hoover said, or plants the native people living in the rain forests use medicinally.

Also involved in the conservatory's new relationship, Hoover said, is PROCUMA, an Ecuadorian foundation that is in its infancy. Once approved by the Ecuadorian government, the foundation plans to purchase land in western Ecuador where it will establish a holding tank of sorts for tropical plants.

Hoover described it as a giant garden that will preserve the country's rain forests. The foundation hopes to buy a farm that already has some uncultivated rain forest. If that is not possible, scientists will attempt to reconstruct the forest, he said.

Not only will the Ecuador operation be a tourist attraction for that country, its harvests will also supply Shaman Pharmaceuticals with research material and also probably at least partially furnish the New England conservatory.

As the scope of the proposed project grows, a New England conservatory site seems more likely.

By the end of the year, Hoover said, he hopes the NETC will have announced a site for the conservatory and have a \$250,000 feasibility study underway.

"Then we will have a tool we can use to go out and really start to raise large levels of capital to do this," he said, adding that building the first portion of the conservatory, a visitors center, will cost about \$1 million.

Project designers plan to expand the nautical-shaped glass conservatory in phases. When it is complete, the 58,000 square foot indoor rain forest will house plants from rain forests all over the world.

Project backers first came to Lee last summer after plans to develop the conservatory in conjunction with the Massachusetts Museum of Contemporary Art in North Adams fell through.

Townpeople were receptive of the project at first, but many were became leery after learning that some sites were on town land.

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P.A.7 WILLIAM E. BOUSTEAD

LEE — William E. Boustead, 82, of Stockbridge Road died Jan. 3 at Victory Memorial Hospital in Waukegan, Ill., where he was visiting his daughter over the Christmas holidays.

Mr. Boustead was employed for many years by Berkshire Truck Plaza in West Stockbridge.

He was a member of the Trinity Episcopal Church in Lenox. He was a 32nd-degree Mason.

His wife, the former Lucille Walker, died in 1969.

He leaves a daughter, Jacqueline Nagode of Gurnee, Ill.; a brother, Samuel Boustead of Riverdale, Ill., and three grandsons.

The funeral and burial took place in Chicago.

A memorial service will be conducted Saturday, Jan. 30, at 4 p.m. at Trinity Episcopal Church in Lenox. Memorial donations may be made to a charity of one's choice or to Trinity Episcopal Church.

DiGrigoli Comes In To Ignite Wildcats

LEE—Five minutes into the game, the Lee boys' basketball team (6-5) clung to a narrow 8-6 lead over the Mount Greylock Mounties (4-6).

Then sophomore Peter DiGrigoli came off the bench and, in under a minute, broke the game wide open for Lee with a pair of field goals and a pair of free throws. The Wildcats never looked back, going on to win, 67-44, on January 20.

"I put him in as a defensive player," said Lee coach Matt Capeless. "When he scores like that, it's a bonus." DiGrigoli finished up leading the team with 16 points. Jeff Puleri and Dave Clark each scored 15 for the Wildcats.

Freshman Ryan Hercik paced the Mounties with 14, including two treys.

Greylock's Tim Flaherty broke the ice with a jumper 46 seconds into the game. Lee came back and set up Kevin Burch for the trey a minute later to regain the lead, 3-2.

With 12:22 to go, Puleri nailed the long-distance call from three-point land to again retake the lead, 6-4.

DiGrigoli's first bucket came when he drove the lane at 9:23 to put Lee up, 10-6. He made an easy lay-up off a steal 17 seconds later for field goal number two.

At the other end of the court, DiGrigoli found himself coming up on the short end of a mismatch, sporting seven inches and 50 pounds to Greylock's Colin O'Neil. DiGrigoli held O'Neil at bay.

When Clark hit two from the foul line with 7:00 left in the half, Greylock used its first time out, down 18-6.

When played resumed, Clark returned the ball to the Wildcats by rejecting O'Neil in the paint.

With 3:05 to go, Hercik brought the Mounties within five with a baseline trey, 18-13.

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George T. Comalli

LEE — George T. Comalli, 60, of 5 George Street, died Jan. 14 at Berkshire Medical Center.

He was born in Pittsfield, Jan. 9, 1933, the son of Peter and Mary Sondrini Comalli, and graduated in 1951 from Lee High School.

He served during the Korean conflict with the Marines as a drill instructor at Camp Pendleton.

After the service, he worked as an electrician for Canon Electric Co., in Lee.

In 1964 he formed his own business, Raycon Electric in Lee, which he operated until 1974 when he began traveling throughout the country as an electrician for various electrical companies.

In 1981, he formed Comalli Electric, which was in Lee and is now in Pittsfield.

He was a communicant of St. Mary's Church in Lee.

He is survived by his wife, the former Janet Shaker, whom he married Dec. 15, 1952; five sons, Steven P. Comalli, David T. Comalli, Peter J. Comalli, and James M. Comalli, all of Lee, and George T. Comalli Jr. of Portland, Ore.; three brothers, Dr. Peter E. Comalli of Philadelphia, Pa., Dr. Joseph D. Comalli of Mashpee and Robert L. Comalli of Lee; a sister, Mrs. Ann Baruzzi of Middlefield; and two grandchildren.

The funeral was Jan. 18 from the Kelly Funeral Home with a Liturgy of Christian Burial at St. Mary's Church in Lee.

Burial was in St. Mary's Cemetery.

The family suggests that donations may be made to St. Mary's Church or to the Congregation of Marians in care of the funeral

Clariste Verheyne

LEE — Mrs. Clariste "Gladys" Verheyne, 87, of Prospect Street, formerly of the Curtis Apartments in Lenox, died Jan. 14 at the Berkshire Hills North Nursing Home.

She was born in Springfield Dec. 20, 1905, the daughter of Alex and Donelda Sorel Therrien. She spent her younger years in Holyoke and was educated at Precious Blood School there.

She moved to Lee in 1940. From then to 1952, she ran the boarding house at High Lawn Farm. She then operated the kitchen at the former Foxhollow School for Girls in Lee.

She was last employed as a housekeeper and cook for the O.D. Street family of Lee. She retired in 1978.

She moved to Lenoxdale in 1957 and to Lenox in 1981.

She was active in performing in minstrel shows in Lee, Lenox and Pittsfield in the 1970s. She was a gardener and active in church bazaars.

She was a member of the Catholic Daughters at St. Vincent dePaul Church in Lenoxdale and the senior citizen Club in Lenox.

Her husband, Marcel F. Verheyne, whom she married Aug. 1, 1928, died in 1983.

She is survived by two sons, Donald F. Verheyne of Flint, Mich., and David A. Verheyne of Pensacola, Fla.; two daughters, Mrs. Connie Rudnick of Orman Beach, Fla., and Mrs. Joan M. Wellington of Lee; a sister, Mrs. Viola Roy of Boise, Idaho; eight grandchildren; and 10 great-grandchildren.

The funeral was Jan. 18 from the Kelley Funeral Home in Lee with a Liturgy of Christian Burial at St. Vincent dePaul Church.

Burial was in St. Mary's Cemetery in Lee.

The family suggests that donations be made to the Retzel Memorial Scholarship Fund, in care of the funeral home.

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DiGrigoli Sparks Wildcats to Victory

Continued from B1

Lee got back in gear, getting five points from the bench. Todd Tyer made a field goal and a free throw, and Jason Bliss nailed a turn-around jumper. At the half, Lee enjoyed a 23-17 lead.

It was the rebound prowess of Clark early on in the second half that insured the win for the Wildcats. In under two minutes, by burying rebounds, Clark had put seven points on the board and had given Lee a 30-17 lead. "This is the team that must show up to win and Dave (Clark) is a big part of it," said Capeless.

Wildcat Jim Salinetti connected with the hoop on a flying drive with 12:37 left to put Lee up 34-19. Greylock called time out when Puleri laid in a finger roll 20 seconds later.

Hercik scored five on two long-range field goals to bring the Mounties within 12 with ten minutes left. However, field goals by Puleri and DiGrigoli shut down a possibility of a Greylock comeback, 42-26.

With 6:00 to go, Puleri sank a three pointer from the corner. 90 seconds later there was a role reversal as big-man Puleri shot from the perimeter and DiGrigoli buried the rebound to make it 50-33 ball game. DiGrigoli made another four free throws before leaving the game. Final score 67-44.

"If we had allowed Mount Greylock to win, it could have been over," said Capeless in reference to Lee defending its Southern Division title. "Now the race has begun."

Lee next hosts Mount Everett on Friday, January 22 at 7:30.

ANGELO DIGRIGOLI

LEE — Angelo "A.J." DiGrigoli, 75, of Route 102 and of 1231 Yale Drive, Holiday, Fla., died Jan. 14 at New Port Richey (Fla.) Hospital.

Born in Rochester, N.Y., on March 15, 1917, he was the son of Angelo and Ursula (Lombardo) DiGrigoli.

He came to the Lee area when he was six month old and was educated in Lee schools.

After finishing school, he worked at the A & P supermarket until entering the Army and serving in World War II.

Mr. DiGrigoli owned and operated several grocery stores in the area. In the early 1960s, he built the former Angelo's Drive-In restaurant, which was located on Housatonic Street in Lee. He owned and operated that until retiring in the mid-1970s.

He was a communicant of St. Mary's Church, a member of the Sons of Italy, the VFW in Lee, the Knights of Columbus, the United Commercial Travelers in Pittsfield and was a deputy sheriff of Berkshire County.

He and his wife, the former Jennie M. Ballato, were married on March 5, 1945.

Besides his wife, he leaves a son, Anthony J. DiGrigoli of Tampa, Fla., a daughter, Joanne T. Crawford of Lee; two sisters, Josephine D. Perrone of Lee and Mary Buscemi of the state of Florida; and a grandchild.

The funeral was Jan. 20 from Kelly Funeral Home with a Liturgy of Christian Burial at St. Mary's Church in Lee. Burial was in St. Mary's Cemetery.

Memorial donations may be made to the Lee Visiting Nurse Association in care of the funeral home.

Friday, January 22, 1993

Community TV Completes Year With Highlights

LEE — Community Television for the Southern Berkshires, CTSB-TV Channel 11, has completed its first full year of operation, logging more than 1,400 hours of programming in 1992, its first full season.

Highlights of last year's programming include a January live tie-in with the United Cerebral Palsy Telethon, Krista Schmidinger's Olympic return to Lee in March, L'Orchestra in the Berkshires' holiday concert and the Housatonic, Great Barrington and Lee Memorial Day parades.

Other programs included CTSB-TV's first-ever locally produced weekly television program "This Week at Monument Mountain"—created by Paul Kakley and MMRHS students; and four forums related to CTSB.

Projected activities for 1993 include the completion of permanent studio facilities on Route 102 in Lee, increased governmental coverage, remote programming, an open house and tours of studios, a survey of subscribers and various fundraising events.

The station serves Great Barrington, Lee, Lenox and Stockbridge—towns under contract with Century Berkshire Cable in Lee—and last year entered into an agreement with those four towns "to facilitate public, educational and governmental access," according to CTSB's 1992 Year End Report.

The overall emphasis of programming has been on South County issues and events; however, many programs have featured county-wide subjects as well as state issues that had an impact on South County subscribers to Century Berkshire Cable.

CTSB first aired in 1990 with selected borrowed programs, logging 50 hours of programming that year. The station commenced regular daily programming Oct. 3, 1991, offering 350 hours of programming.

As the channel begins looking for its own programming, the search has begun with local town meetings.

Late this fall Lee Selectmen's meetings went on the air and starting during the week of Jan. 25, Stockbridge and Lenox meetings were also filmed. The meetings are shown on CTSB during the week.

ANTHONY DAURY

LEE — Anthony "Toddy" Daury, 67, of Sherman Oaks, Calif., died Jan. 12 at the Pioneer Hospice in Van Nuys, Calif. He was the brother of Florence Bianco and Dorothy Zaccaria, both of Lee.

Born in Waterbury, Conn., on May 21, 1925, he was the son of Tony and Bessie (Wood) Daury.

He attended school in Connecticut.

Mr. Daury moved to New York City in 1940 and to California in 1972. He worked in the garment industry until he retired in 1989.

Besides his sisters, he leaves his stepmother, Jean Daury of Waterbury, and another sister, Marie Daury of New York City.

The funeral and burial were in Van Nuys.

Lee day care driveway battle may be bound for court

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — The year-old legal battle between the Veterans of Foreign Wars and the day care center next door is headed for a Superior Court trial in March unless the neighbors can resolve their dispute over a shared driveway.

The veterans' organization has asked to be on the Selectmen's agenda next Monday night, but Commander Alfred Young Jr. wouldn't discuss the details of the meeting. It's not just the driveway dispute that the veterans will be raising, but "other things as well," he said.

Whether the Selectmen are the ones to resolve a private dispute remains to be seen. The veterans' lawyer, Jerome J. Scully, said he wasn't aware of Monday night's meeting, and he wasn't willing to discuss the details of the case.

"I can't imagine the Selectmen would be involved in anything," he said.

The Learning Center and the VFW, both located on adjacent parcels on Route 102, have been bickering over the shared driveway since 1991.

Deal and deed

Mary K. Bradbury bought a parcel of property 3½ years ago from the VFW for \$110,000. She

says the shared driveway was a condition of the purchase, but that the terms weren't recorded in the deed. Then she built a day care center, which has operated there ever since. For about a year there were no neighborly problems.

But in late 1991, then-Commander Joseph Scapin began asking Bradbury to build her own driveway. He then gave her 90 days to do it, but she refused, and the VFW began erecting a fence blocking access to the day care center parking lot.

Bradbury took the veterans to court, obtained an order forcing them to stop building the fence and sued for breach of contract.

She said she carries liability insurance to cover her business' use of the driveway. Efforts to resolve the dispute out of court have been unsuccessful, and a trial is now set for March, she said.

She said she believes the veterans' group might be trying to get her to pay rent for the driveway, but that she won't, because she maintains the shared driveway was part of the purchase. It would cost from \$12,000 to \$20,000 to put in her own driveway, she said.

"It's really sad that it's gone this far," said Bradbury. "It's ridiculous."

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recommendation, saying that "our lease negotiations did not break down."

"At the close of our meeting Jan. 11, the center team and at least one of the three church representatives believed that we had resolved the issues under discussion," she said. "We also agreed to form a joint committee to find ways to improve compliance with the parking rules."

Doherty questioned why negotiators did not inform the center if they had reached a decision.

"If any negotiator felt any part of the contract was still unacceptable, I wonder why they did not say so at the time," she wrote. "Or, if their second thoughts occurred later, why they did not simply call another meeting. Instead, without warning, the trustees voted the next night to expel the center from its home."

The trustees' unanimous vote was to recommend ousting the center. The actual decision to do so must be made by the congregation, and a meeting to consider the issue may be held within a month, according to the Rev. David Baird, pastor.

Hopeful of resolution

Doherty also said she believes that any conflicts over the use of the church kitchen and social hall can be resolved. The center has served hot meals since it opened in 1972, and the state Bureau of Nutrition has underwritten the program for at least 12 years, she said.

"We know that, for some children, this is the most nutritious food they get all week. In the 11 years I've been associated with the center, I've never heard a single church member complain about our hot meal program," she said.

Doherty stressed the center's commitment to continue providing quality day care even if it must relocate. But she expressed hope that church trustees will reconsider their decision.

Doherty said she hopes, if the trustees and congregation conclude the center should move, they would help it find a new home "in the same spirit of cooperation and caring that has characterized their shared mission with us for the past 20 years."

Lee police arrest couple; incident called latest in series

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By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Lee Police arrested a Main Street couple in their apartment Wednesday night in a dispute which neighbors described as part of an ongoing and disruptive pattern of domestic abuse.

Police responded to a 3:39 p.m. call at 57 Main St., where neighbors directed them to the apartment of Bruce and Josephine Coleman. Some residents of a Main Street apartment building said they're distressed and disturbed by what they say are ongoing domestic disputes between Josephine A. Coleman, 37, and her husband, Bruce, 34.

Police Chief Edward J. Finnegan said tenants had complained of yelling and screaming in the couple's second-floor apartment, located above Jack's clothing store.

Both charged

Both Colemans were arrested by police and charged with disorderly conduct and assault and battery. They were booked at the Lee Police Department.

Neighbors said Bruce Coleman posted bail that night, and, upon returning to his apartment, had a confrontation with a relative of his wife, Arthur P. Reilly, 32, of 380 Walker St., Lenox. Police responded to a second call at

Coleman's apartment at 8:42 p.m. and arrested Reilly, charging him with disorderly conduct and assault and battery.

'No end to it'

Finnegan said police have responded in the past to disturbance calls involving fights between the Colemans.

"One or both have been arrested before for the same situation," he said.

"It's very upsetting, there's no end to it," said one neighbor, asking not to be named. "At times it worries me."

The Colemans could not be reached yesterday.

State appoints Hughes to Lee Housing Authority

LEE — Rosemary Hughes of Summer Street has been appointed by the state as its member of the Lee Housing Authority.

The authority consists of five members, four of whom are elected by the town and the fifth named by the state Executive Office of Communities and Development. Hughes, whose term will expire July 9, succeeds Elizabeth Hodgkins of Housatonic Street, who resigned.

A Lee native, Hughes is a former employee of the New England Telephone Co. dating back to when the company maintained an exchange in Lee.

She was a switchboard operator, and later worked in the construction department. She has also worked for a number of years in community service.

Hughes sought a seat on the Housing Authority in town elections two years in a row, losing by small margins both times. When the vacancy occurred in the state's seat, the authority requested that, in view of her interest, she be appointed.

She and her husband, John T. Hughes, have six children.

Lee PTO plans pre-kindergarten class

LEE — Lee Central School has announced that if enough parents are interested, the school will once again organize a pre-kindergarten program for children who will enter the school's kindergarten class in September.

A curriculum that includes activities and experiences to prepare children for the regular classroom environment will be taught on Tuesdays and Thursdays from 3:30 to 4:30 p.m. The program will begin Tuesday, March 2, and will run for eight weeks. Children may attend either the Tuesday or Thursday session.

Parents will be responsible for transporting their children to and from the school.

A fee of \$20 will be charged to cover the cost of materials and the teacher. The payment is due on or before March 2.

The program, sponsored by the Lee Parent-Teacher Organization, is similar to other pre-kindergarten programs taught around Berkshire County, the announcement said. The program is under the direction of Chris Walker.

For more information, one may contact the school at 243-0336.



Craig F. Walker / Berkshire Eagle Staff

Erin Pero of Wahconah has her eyes on the hoop and not on Lee High defender Kasey McManmon during this trip to

the basket in yesterday's Berkshire County girls' basketball game in Lee. Pero had nine points in a losing effort.

Lee girls halt Warriors' win streak

LEE — Rumors that this year's Lee High girls' basketball team may not be up to snuff appear to have been slightly exaggerated. The defending Berkshire County champion Wildcats stopped those rumors yesterday, pinning a decisive 51-33 defeat at home over Wahconah Regional.

The Warriors (9-3 overall) saw their seven-game winning streak come to an end while suffering their first league loss. Lee evened the season series with Wahconah, the Wildcats having dropped a 45-43 decision at Wahconah on Dec. 26.

Lee, a perennial power in Berkshire County, was thought to have dropped a peg from recent

years. The earlier loss to Wahconah, a close defeat to Pittsfield and a 66-45 thumping to Monument Mountain on Jan. 11 were reasons to believe that was the case.

The Wildcats (9-3), however, showed their mettle yesterday with a win over Wahconah, which had scored recent Northern Division wins over tough Pittsfield and Taconic and was thought to be in a position to distance itself from the pack.

Pittsfield and Wahconah are now tied for the Northern Division lead with 7-1 records.

"I told the players that a lot of people think you're dead," Lee

coach Tom Cinella said. "But the measure of the great teams is now they react in tough situations."

Cinella wouldn't make excuses, but did say that a total of eight practices had been lost in the past month because of snow days and the well-documented problems with the school's roof, which forced the team out of the gym.

"And we had some ankle injuries," Cinella said. "But we put that all aside today. We executed well on offense and defense and our presses worked better today than they have all year. The intensity has been there lately, but the sharpness hasn't."

Lee took a 22-14 halftime lead and expanded that margin to 20 points about midway through the second half. Sarah Blaisdell was the key to Lee's effort, scoring a game-high and personal season-best 19 points while adding six rebounds, five steals and a couple of blocks. Kelsey Scarpa added 13 points while A.J. Skowron had 11 points and six rebounds.

Alison Forfa had five rebounds and led a Wildcats' defensive effort that allowed no Wahconah player into double figures in the scoring column. Erin Pero and Janinne Noel each had nine points to lead the Warriors.

Lee won the jayvee game, 42-29.

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Onetime truck driver opens office as patent, trademark lawyer in Lee

LEE — Malcolm Chisholm, who started his career as a truck driver, became a lawyer and then developed a specialty as a patent attorney, has established an office at 195 Main St.

He said he believes it is the only full-service patent, trademark and copyright law office in Berkshire County.

Chisholm grew up in Amherst, graduating from Amherst Regional High School in 1966, and for several years was a cross-country tractor-trailer driver.

He left that business in the mid-1970s to earn an associates' degree from the Stockbridge School of Agriculture at the University of Massachusetts, and then a bachelor's degree in plant and soil science from UMass in 1978.

He then began a second career as a golf course superintendent, but started the transition to a

third career in 1980 when he began attending night courses at Springfield's Western New England College School of Law.

During his 4½ years of night law school, he left the golf course business and began working for a Springfield law firm, Holland & Associates.

He continued with the firm after earning his law degree in 1986, gradually becoming a specialist in the patent and copyright fields. He opened his Lee office in December. Aside from patents, he said, his practice covers wills, estate planning and personal-injury claims.

Since 1989 he has taught separate courses in patent, trademark and copyright law at Western New England College School of Law.

Married to the former Muriel Seff of Lee in 1985, he and his wife are parents of three sons.



Craig F. Walker

Malcolm Chisholm

Girls' Basketball

The Spartans led 19-18 at halftime. Neither team led by more than five points at any time in the game.

Hoosac coach Bob Mularczyk was pleased with Adams' play.

"Leighann made the shots," Mularczyk said. "She played a great game, that's all."

Nickie Vallieres added 16 points for the Hurricanes.

Lee 83, McCann 12

NORTH ADAMS — The outcome somewhat overshadowed the milestone Cinella reached last night. While the milestone is his, Cinella credited a lot of others with helping him reach the mark.

"We have great talent and a good feeder system here in Lee," said Cinella. "You don't win 100 games without good basketball players. We have a system that develops them, and my coaching staff works very hard."

Cinella also had 94 wins as the head basketball coach of the Lee High boys' team.

Last night, the Wildcats got out quickly and never looked back. Lee led 52-5 at halftime, and there wasn't much the over-matched Hornets could do.

"We go into a game like that looking to work on the things we do in practice," McCann coach Kevin Morandi said. "The kids hustled, there's not much more

you can ask for."

Alison Forfa scored 17 points, and Sarah Blaisdell, Kelsey Scarpa and A.J. Skowron each had 10 points for Lee. Kelly Parker came off the bench to snare 13 rebounds for the Wildcats.

PHS 65, Taconic 42

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Open house is tomorrow for Clarke Court in Lee

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — The Lee Housing Authority will hold a public open house at the nearly completed Clarke Court housing development tomorrow from 2 to 4.

LHA Director William J. Maroney Jr. said the reception will be held in one of the duplex units, which includes a handicapped-accessible apartment and a three-bedroom apartment. The development is a subdivision off Marble Street, next to the Brown Memorial Court apartments.

None of the eight duplexes in the \$1.7 million project is occupied yet, said Maroney, because contractors are in the final stages of making changes to ventilation systems related to gas boilers and water heaters. He said he is optimistic that occupancy permits from the building inspector will be forthcoming this week.

The development was originally scheduled for completion last summer, but a number of delays

have occurred because of disagreements between the town gas inspector and others involved in the construction project. Although those matters appear to be resolved, Maroney said the issuance of building permits requires a number of inspectors to "sign off" on the permits.

All the families who qualified for the 16 low-income housing apartments have been selected, and the units should be fully occupied by the end of February, he said.

The project was financed by the state Executive Office of Communities and Development. The apartments will be managed by the LHA, as are several other public housing apartment buildings in town.

Tenants must qualify for an apartment based on income guidelines, and they pay a percentage of monthly income in rent.

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Lee Selectmen vote to abandon part of Chestnut St.

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — The Selectmen have voted unanimously to abandon Chestnut Street as a town road beyond two recently constructed houses, despite opposition from some residents.

And the Department of Public Works simultaneously recommended spending \$50,000, to be raised through "betterment charges" to the owners of existing homes on the street, to improve conditions on the town-owned section of the road. The street has a perilously steep intersection with Route 20.

The board's action means that the future owners of six remaining subdivision lots will have to provide their own road maintenance, including winter plowing and sanding.

Town road since 1801

Chestnut Street residents weren't present at Monday night's meeting, but some in the audience criticized the Selectmen for abandoning what has been a town road since 1801.

Among them was August Passetto, who said the board is trying to avoid the duty of providing services and safe roads for future residents.

Charles O'Neil said townspeople should not be made to pay for the mistakes of town officials.

Concerns over Chestnut Street came to light several weeks ago when it was discovered that the Planning Board had authorized a developer's application to create eight building lots on the street without considering the inadequacies of the road.

And Building Inspector Robert W. Lester issued building permits for construction of two houses without the approval of the DPW, which might have objected because of the road conditions.

Board of Public Works Chairman David Parker asked whether the Selectmen would consider abandoning the road beyond the newly created lots, but they refused.

Meeting earlier with the School Committee, the Selectmen discussed the School Department's request for a waiver from certain time-consuming public bidding

requirements, in order to speed up the process of gathering estimates for the broad scope of repair work needed on the Lee High School roof.

The estimates are needed by June 1, the deadline for applying for fiscal 1994 state aid, said School Superintendent Henry T. Zukowski. The job could cost as much as \$1 million.

Officials said they would make a decision on the waiver at a meeting this morning.

Redraw town districts

In other business, the Selectmen met with town representative William Noonan, who is a member of the Town Government Study Committee. He said the committee is planning public hearings within the next six weeks to discuss whether to eliminate the representative form of government.

In a related matter, Town Clerk Patricia D. Carlino told the Selectmen that the 1990 census revealed the town's population to be geographically out of balance and that the six representative districts must be redrawn.

The board met in executive session with members of the Municipal Golf Course Design Committee to discuss matters related to purchasing property off Fairview Street for development as a town-owned golf course.

After the session, the board announced that the committee will hold a public meeting in coming weeks to unveil a feasibility study that was prepared by a Florida consulting company, Golf Investment Advisors.

Selectman Martin H. Deely described the study results as "positive." However, the town hasn't gone beyond submitting a letter of interest regarding the property, an undeveloped 120-acre tract.

An application for a sign permit was also approved for Coasters, a new club opening on Route 102.

walkabout

By
Deidre Consolati



IT WAS WEDNESDAY, Jan. 13. A sloppy snow was falling, the second major storm of winter. It was that infamous Berkshire slush that made a tiny tapping noise as it fell and magnified the work of every outdoor action into a ten-fold task.

But it was the hour for my daughter's piano lesson and the teacher had not canceled. And so we bravely pointed the car north through pools of slush, feeling like it was a boating excursion rather than a drive to Lenox. After the half hour had ended I headed towards Lenox Dale. This was a routine that had slowly evolved: stopping after the lesson to catch a bit of flavor at Tanner's Market in the center of the "Dale." The Dale itself is a fascinating village, tenacious and (to outsiders) gritty. Its pockets of beauty had refused to die in spite of centuries of non-stop industrialism -- glass, willow ware, tin, iron, tanned goods, and more recently, gravel and machinery.

The car slurped to a stop in front of Tanner's and we kicked the snow from our boots before entering. The store itself was a study in old-fashioned hominess. A tiger cat was curled asleep in front of the soda case. The woman at the register, Pat Leydet, said hello with a smile. Dick Tanner, butcher and owner, was working in his usual place behind the spotless meat counter. Behind its glass, goods looked fresh, orderly and inviting. It took no sixth sense to figure that here was a butcher in the European sense -- a person who not only knew his way around a side of beef but whose life centered around good food, and good local food too, like wild strawberries and raspberries and mushrooms and fiddleheads.

After ordering the last half-pound of homemade potato salad I noticed some wrapped wedges of inviting yellow-white cheese inside the case. Dick removed one and showed it to me. A round label depicted a cow and along-side were the words "HALE'S COUNTRY CHEDDAR, SUNSET FARM, TYRINGHAM." Explained Dick: "Donnie Hale came around with the cheese and I put some in the case on consignment. He's a nice guy. You want to help a local man out."

Instantly my spirits lifted. Tyringham Valley was the Land of Good Vibrations, the place t-shirt creators had in mind when they wrote the famous quote "Burk-Shurs: Glacial hills of Massachusetts where songs of the human spirit resonate in incredible harmony with the vibrations of nature and inspiration of heritage." I looked at the cheese. If it had been made in Tyringham, surely God blessed it and called it ambrosia.

I was already predisposed to anything that came from Tyringham, but when Dick offered me a morsel and I placed it on my tongue the slushy headaches of the outside world fell away. Tyringham was in every molecule of cheese. If a taste can be a feeling, then it was the warmth of the cowbarn as one slides open the door on a chilly evening and the scent of hayfield grass and flowers after the summer sun has beat down for a while.

Dick and Pat were a bit more matter of fact: "It's a cross between feta and goat cheese."

"But definitely not cheddar," I added. "Traditional" cheddar carries its own set of expectations. And this was definitely not it. It didn't even cut like cheddar; it crumbled like blue cheese. But the prized asset was the richness of its sour taste; it was this that stamped the experience "Tyringham."

I bought a wedge and carried it home for more sampling. A chic local chef, I later hypothesized, could easily substitute the cheese for Parmesan or Romano and then add olive oil, garlic, basil and pine nuts for a pesto sauce a la Berkshire. (Even more of a "hill" flavor might be obtained by using local black walnuts instead of pine nuts.) But this simple adapted recipe from a Berkeley, Calif., restaurant seemed to suit its farm flavor best:

HALE'S TYRINGHAM CHEESE WITH BAKED GARLIC AND COARSE BREAD

Bake two heads of garlic covered with olive oil (or any cooking oil at 350 degrees until soft and light brown. Cool slightly. Cover pieces of coarse bread (or any bread) with crumbled pieces of Hale's cheese. Broil lightly. Cover with a layer of the baked garlic cloves extracted by squeezing, and serve alone or with salad and a drink.

Here's a suggestion for the Hales. The world's most famous cheeses derive from their place of origin -- Stilton, Gouda, Port du Salut, Limberger, Camembert. Why not just call it Tyringham cheese and let it acquire its own legend? And how about this description on your package: "An outstanding, slightly aged, sour-sharp farm cheese made in Tyringham in the Berkshires?"

P.S. It's best on a Ritz.

Lee establishes school clinic

Lee public school students now will have access to a free health-clinic that was approved by the Lee School Committee last week.

The clinic will offer free basic treatment and health-care counseling to Lee students. It is scheduled to begin this week, and be open Wednesday mornings from 8:30 to 10:30 a.m. in Lee High School. It will be staffed by Dr. Robert Wespiser and a physician's assistant.

The clinic was organized by Wespiser, Lee High School Nurse Joan Puacquadro and Dean of Students Kathleen Bort. It is being funded in part with \$10,000 from a state Department of Education grant.

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Proposal is hoped to safeguard Lee land

By John Townes

In an effort to preserve approximately 200 acres of parks and other conservation land, the Lee Conservation Commission is proposing a plan that would give them control over six town-owned parcels.

"This would add an extra layer of protection, to ensure that land which was given to the town for conservation will continue to be preserved," said Conservation Commission member Diane Wespiser.

The impetus for the suggested change -- which will be on the warrant of an upcoming Town Meeting -- was last year's controversy over the request by botanist Scott Hoover to use a section of the town forest as the site of his planned tropical plant conservatory.

"We saw how quickly the Board of Selectmen can propose a land-use change for these sites, and we felt certain ones needed some form of protection," explained Wespiser.

Currently, the Board of Selectmen make the initial decisions on proposed uses of town-owned lands. If the selectmen accept a particular activity on a town-owned site, their decision must also receive 2/3 approval both by representatives at a Town Meeting, and by the state legislature.

The suggested new structure would give the initial review and approval authority to the Conservation Commission, instead of the selectmen.

However, if the Conservation Commission does approve a particular activity on

town land, the proposed use would still require approval by the selectmen, town meeting representatives and the legislature.

(Lenox currently has a similar structure for its town lands.)

The specific sites that would fall under the purview of the Conservation Commission under the proposed change include:

-- The town forest and The Pinnacle off Golden Hill Road.

-- Dunn Park off West Road.

-- Longcope Park off Church Street.

-- Ferncliff Reservation, which includes Pete's Cave (where a member of Shay's Rebellion hid out) off Orchard Street.

-- Foote Pond Park off Maple Street, plus a small park adjacent to it.

Wespiser emphasized that only a portion of town-owned land is included in the proposal, and the protected parcels would only comprise about 1.2 percent of the total acreage within Lee boundaries. Other town-owned sites more suited to industrial and other development would remain under the control of the selectmen. "This is a small step to spare significant properties," she said.

Significant sites

She said the parcels that would be shifted to Conservation Commission control are limited to those sites with particular historic or environmental significance,

recreational importance or which were initially given to the town specifically for conservation purposes. "And a number of them are not suited for development be-

cause of wetlands, cliffs or other limitations," said Wespiser.

"We realize the local government has to meet several interests, including economic development, and it would be unrealistic to try to protect all town-owned land," said Wespiser. "But there are already a number of other town-owned parcels suitable for industrial parks and other uses. We feel it is important to balance that with land preservation."

The plan would affect the site originally proposed for the tropical plant conservatory in the town forest, but other potential sites would remain available for that project, she added.

However, it would not impact the Stockbridge Rd. parcel that is being considered for a town golf course, which is not included in the package.

Impetus for change

Even though it would remove some of his board's authority over town land, Lee Selectman Martin Deely supports the plan. "I'm very much in favor of it," said Deely.

Deely believes last year's debate over the tropical conservatory demonstrated "was a strong public mandate not to give away town forest property."

He also says it is important to follow the wishes of the original donors. "We owe it to the people who gave these lands to the town to protect them," said Deely. "They did the community a tremendous favor, even though conservation and open-space protection weren't fashionable back then."

Deely added that he, like other town residents, have long benefited from their presence. "As a kid I played in these places, and I have a great affection for them," he said.

However, the plan has met with some skepticism.

It was already proposed once to a Town Meeting last autumn. It failed to pass at that time, because it was submitted quickly and without prior public discussion. "The representatives were leery of passing it then because they felt they did not have enough information," said Wespiser.

One of those who did not support the plan is town representative Stephen Cozzaglio. "I don't like the idea of the authority over town land being away from town representatives and other elected officials and given to a board like the Conservation Commission, whose members are appointed, not elected," said Cozzaglio early this week.

Cozzaglio said he is critical of the proposal on that basis. However, he added, he does not yet know all of the specifics of the plan, and he may change his position if elected officials retain sufficient authority in the final version.

"I might not be against it, as long as the elected bodies are the last word on how town property is to be used," he said.

The Conservation Commission has tentatively scheduled a public hearing on Feb. 7 in the Lee Town Hall Courthouse, to explain the proposal and take questions and comments.

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Burglar makes 4th visit to Lee Library

For the fourth time since March, the Lee Library was burglarized last week. A gray metal box with between \$75 and \$100 in petty cash, as well as a \$200 telephone, were discovered stolen on Friday morning. As with the first three burglaries, no doors or windows were broken into. The suspicion is that someone may be picking the lock on the cellar door, says librarian Georgia Massucco.

"At this point I'm really disgusted," Massucco says. Previous thefts have involved amounts of about \$20, as well as pencils and letter openers. Massucco says there are currently no suspects and few clues have been left behind, with the exception of match books found in the library, believed to be used to light the burglar's way.

Deadbolts and new locks are being placed on the doors and a new light will be installed in an attempt to foil the thief of thieves. The librarian asks the telephone be returned, no questions asked.

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Locker Room owner files suit against opponents

In the latest volley in the dispute between the former and new owners of the site of the Locker Room bar in Lee, current owner Donald Lucy has filed charges and a countersuit against former owners, the Tristany family, charging trespassing, breaking beer bottles and conspiracy against his business. Since selling the Main Street tavern to Lucy in 1991, the Tristany family (who live next door) have sued and made other legal complaints against Lucy's business because of allegations over parking and zoning violations and neighborhood disturbances at the bar.

Beavers recovering at South Lee home

Having returned to her South Lee home, 40-year-old Teresa Beavers is on the long path to recovery from gunshot wounds received during the shooting rampage at Simon's Rock College of Bard.

"She's headed in the right direction," her husband Bruce Beavers says. "But it's going to take a long time."

Teresa Beavers, a security guard at the college in Great Barrington, was the first victim of a shooting spree on Dec. 14, when student Wayne Lo allegedly opened fire with a semiautomatic rifle, killing a professor and a student and injuring four others.

The three injured students, Matthew L. David, 16, Joshua A. Faber, 15, and Thomas McElderry, 19, all plan to return to Simon's Rock for the spring semester, according to college officials. Beavers, who was stationed at the security booth at the college entrance, received two bullets in the abdomen. Most of the organs on her lower right side -- including her stomach, colon, spleen and upper and lower intestines -- were damaged, her husband says.

She is able to eat, but "there's not much room to put the food," he says, and her diet is bolstered with a protein drink called Ensure. Doctors say by May or June they may be able to operate to reconstruct her stomach.

Her hip joint was also shattered and the muscles were damaged so she is unable to raise her leg. Doctors do not yet know if she will be able to walk or if a brace will be needed but "they have been amazed at her progress," Bruce Beavers says.

His wife was released from Fairview Hospital two weeks ago but a full-time nurse now takes care of her. Taking two antibiotics to fight infections, she was checked last week for what appeared to be a pocket of infection on her side.

An outpouring of support has welled up for the couple, who moved to South Lee from Stockbridge about three months ago.

"We're getting get-well cards and flowers from people who don't even know her," her husband says. "That cheers her up a lot."

Some of those cards have come from as far away as Florida and Montana, Wayne Lo's home state. Old friends around the Northeast whom the couple has not seen in years also heard about the widely publicized incident and have written the Beavers, he says.

"The biggest help has been so many people say they are praying for her. The biggest asset right now is enlisting the help of God," he continues. "The surgeon says he did everything he could for her at the time and now it's up to God."

Teresa Beavers began working at the college about three months ago after her husband had to leave his job because of back injuries.

Workmen's Compensation is paying for Beavers' medical care but funds for other expenses are being donated to accounts at Lee Savings Bank and Great Barrington Savings Bank. The Beaverses have four daughters, ages 15, 17, 18 and 20, three of whom are living at home and one who is living in Stockbridge.

Lee Selectmen tell building inspector his contract won't be renewed in June

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — The Selectmen, showing displeasure with what they perceive as the town building inspector's questionable issuance of two building permits on Chestnut Street, informed him yesterday he won't be reappointed when his contract expires June 30.

Robert W. Lester's failure to have the Board of Public Works "sign off" on the building permits will be costly to the town, officials say, because about \$50,000 in street repairs are now needed to make safe the East Lee dirt road and dangerous intersection with Route 20.

The board's action clearly offended Lester, who works approximately 20 hours a week.

"I've dedicated five years to protecting this town, and this is the thanks I get," he told the Selectmen. "It's disgusting."

Lester said that he and town gas inspector William Miller have been fighting architects, engineers and the state to ensure that the public housing development on Marble Street is properly completed. The project, which is about six months behind schedule, would have been done four months ago if his own requirements had been followed, he said.

'The fall guy'

Later yesterday, Lester said he is being made the "fall guy" and has done nothing wrong. The town Highway Department should have maintained the road properly and not let it fall into disrepair, he said.

"Road conditions aren't my problem," he said.

Former Selectman Joseph F. DuPont, who has kept a low profile since being defeated in last year's election, showed up at yesterday's meeting to speak on Lester's behalf. He said it was "grossly unfair" to punish Lester "if his only action is that he didn't follow his own procedures."

He said he believes the Selectmen are using Lester as a scapegoat for errors made on Chestnut Street.

Town obligations

The Selectmen contended at a meeting yesterday morning that, if the Board of Public Works had known about the pending permit applications, they might not have been issued because of the road conditions. Now, however the town is obligated to make improvements to the road, which is a town way.

The requirement of getting approvals of various town boards was established by Lester to tighten the process of issuing building permits. In the case of

Chestnut Street, he said, he didn't seek the public works board's approval because the houses going up didn't require town water or sewer service.

But the Selectmen agreed that that board still should have been allowed to see the permit application.

Prior to the issuance of the building permits, the Planning Board had approved the creation of lots on the road, also without being aware of the road conditions. The Selectmen met yesterday with that board's assistant, Abby Kramer Mayou, to discuss improving the procedures for such lot approvals to prevent similar problems in the future.

Illegal vote

The Selectmen also learned yesterday that their vote on Monday night to abandon Chestnut Street beyond the existing houses was illegal. Its intent was to make sure that anyone who opts to build a house on one of six remaining lots on the street will arrange for private road maintenance.

However, Town Counsel Jerome Scully told the board yesterday that a public hearing must be

held before a road can be abandoned. The Selectmen scheduled a public hearing on the matter for Monday, Feb. 22.

The Selectmen voted to waive the public bidding procedures for design work on future repairs to the Lee High School roof. Their vote will speed up the bidding process, enabling the town to meet a June 1 deadline for applying for state reimbursement of repair costs.

They also announced yesterday they have scheduled a public hearing for Tuesday, Feb. 23, to release and discuss the results of a feasibility study for a municipal golf course. The study was prepared by a Florida consulting firm, Golf Investment Advisers.

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Grace M. Badorek, former manager at Jacob's Pillow

LEE — Mrs. Grace M. Badorek, 79, of 60 Columbia St., former business manager at Jacob's Pillow, died Tuesday at Berkshire Medical Center.

She was born in Boston on Feb. 1, 1913, the daughter of James and Martha Jordan Briscoe, and had spent her younger years in Boston, South Portland, Maine, and Pittsburgh. As a teen-ager, she moved to Bridgeport, Conn., and attended Bridgeport High School.

Mrs. Badorek also had lived in Meriden and Southington, Conn., before moving to Becket in 1949. She then worked as district manager for Avon Products for eight years.

Don't Ignore Elections in 1993

To the Editor;

A new President has officially been sworn into office, and next year the people of Massachusetts will once again vote for state senator, state representatives, a U.S. Congressman, U.S. Senator, and a governor.

But 1993 must not be ignored because it's the year when many cities, towns and villages elect or re-elect their own local officials to serve them in office, and it is of equal importance that the citizens of every community be equally thoughtful in whom they wish to serve them in elective office.

People must not only turn out in large numbers to vote but stay informed on what goes on in their local communities, and it's here that the news media must lead the way, not only in reporting the news with factual information but arousing an often apathetic people into dealing with community issues of correcting wrongs and injustices in their communities, of giving recognition to those who serve in elective office, those appointed to positions that regulate our lives and the lives of our children, and also private citizens who volunteer and care for people who are often ignored or forgotten in our society.

The citizens and media must work

hand-in-hand in evaluating their elected officials' job performance, to offer helpful suggestions in improving the community, not merely with laying blame, but to work with those who are elected and appointed.

But those whom we elect must be willing to show leadership, yet listen to those who elected them, to remember that as in business and industry, the people are your employers, not employees.

All of us remember that it was 60 years ago on Jan. 30 Adolph Hitler became chancellor of Germany. He promised the people full employment, a place in the sun to a people without hope during a world-wide Depression, but the cost was their loss of freedom.

In that same year on March 4, we elected Franklin D. Roosevelt to office to get us out of a depression, and new ideas and policies, reforms and such, plus the threat of a new war got us out of the Great Depression and we didn't become a dictatorship.

Remember that the growth of liberty starts and is nourished in every local community. Let's always be vigilant locally as well as state and federal-wide.

John R. Copeland
Lee

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Blue Jays Pitch Coach To Speak at LYA Dinner

LEE — Bill Monbouquette, a Minor League pitching coach for the World Champion Toronto Blue Jays, will be guest speaker at the Lee Youth Association's dinner Feb. 3.

Bob Shade, sports director of WBRK radio in Pittsfield, will be master of ceremonies of the dinner, to start at 6 p.m. at the Lee Sportsman Club on Fairview Street.

The annual event will benefit the LYA's youth programs.

Monbouquette, in an 11-year Major League career from 1958 to 1968, won 114 games, including 20 for the Boston Red Sox in 1963.

He spent eight years with the Red

Sox and finished his career with the Detroit Tigers, New York Yankees and San Francisco Giants.

A spaghetti dinner will be served. Reservations are limited and may be made by calling the LYA.

Tag Sale Jan. 30 To Benefit Lee Youth

LEE — A tag sale for sports collectibles will be held Saturday, Jan. 30, to benefit the Lee Youth Association.

The Hot Corner Baseball Card Club, sponsored by LYA, will hold the event at the Lee Community Center on Academy Street from 9 a.m. to 2 p.m.

Ten tables will include sports cards, autographs and other sports collectibles, according to Joe Furgal, LYA board member.

Table or tag sale information is available from him.

Admission to the sale is free, he noted.

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Century Cable to Reward 'Remarkable Educators'

LEE — Teachers, librarians and media specialists in Century Berkshire Cable's service area are eligible to enter the first annual Century

Awards Remarkable Educators' Award competition. The award is designed to recognize and reward educators who have integrated cable television and learning, according to the company that serves Lee, Lenox, Great Barrington, and Stockbridge, and has a provisional license to serve Sheffield.

"The CARE Awards are a way for Century Cable to reward and stimulate educators to use Century Cable in the Classroom," Phil Hopkins, general manager of the area system, said.

The program "provides 500 hours of commercial-free educational programs for the classroom as a teaching tool, to enhance the curriculum and the educational experience. Century Cable provides this service free of charge to schools within its service area," he said.

Deadline for entries is March 1. Entries will be judged on overall objectives, project design, innovative and unique features, benefit to students, and effectiveness.

More information is available from the cable company.

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Vote on Chestnut Street Invalid, Counsel Says

By Suzanne King

LEE--The selectmen apparently erred when they voted on Jan. 25 to abandon a portion of Chestnut Street before holding a public hearing, they learned from their town counsel.

The board members voted unanimously at their Monday meeting to abandon as a town road the better part of Chestnut Street, but later learned from Town Counsel Jerome Scully that they will have to hold a public hearing before deciding the matter. A hearing has been tentatively scheduled for Feb. 22 or March 1.

The selectmen are concerned about the expense of repairing the narrow dirt road, which forks off of Route 20 at a sharp incline, and information that the Board of Public Works is considering placing an article on the annual town meeting warrant to pay for \$50,000 worth of repairs to the road, reinforced the board's decision to consider abandonment.

Selectman Martin Deely said the town needs to "cut its losses" and abandon the part of the road where there are no houses.

Three Houses

Currently there are three houses on the road, but six Planning Board-approved subdivision

lots lie on the part of the road the selectmen are considering abandoning.

Deely said the town should look at charging betterment fees to pay for repairs to the part of Chestnut Street that is still a town way. Selectman John DeVarennes said the town would take on no additional liability if the road stays as it is.

DeVarennes said abandoning the remaining portion of the road would not change the status of the vacant lots, but the town would no longer be responsible for repairing or maintaining the road.

Before two new houses were built on Chestnut Street there was just one house on the road. Until questions arose about issuing the certificates of occupancy to the new houses, town officials have said they were not even aware that Chestnut Street was a town road.

The situation has spurred the Planning Board to look at revising its subdivision approval procedures and pushed the selectmen to decide they will not reappoint Building Inspector Robert Lester when his term expires on June 30.

Lester had said that he "probably goofed" in issuing the building certificates for the two houses on the road, but has since said he was not at fault in the situation.

Lee Seeks School Repair Proposals

LEE — The selectmen have reconsidered and issued a waiver so the school building commission can forego certain bidding requirements and forge ahead toward hiring a designer/engineer to come up with high school roof repair plans and specific cost estimates.

School Superintendent Henry T. Zukowski asked for the waiver so the plans could be ready for school officials to meet a June 1 application deadline to receive state school building assistance.

If the district misses the June 1 deadline, Zukowski said, the high school project will lose its top spot on the list of districts receiving state aid.

The selectmen's waiver,

granted on Jan. 27, classifies the high school roof repairs as an emergency and allows the school building commission members to advertise for a designer and architect at one time, rather than having to go through the timely process twice.

Selectman John DeVarennes was initially opposed to granting the waiver because he said the \$49,000 voted by town representatives at the Jan. 13 special town meeting was to be used for engineering work.

On the condition that town representatives be informed at a March special town meeting that the \$49,000 had also gone toward architectural fees, DeVarennes agreed to go along with the waiver.

Citing 'Mistake,' Lee Fires Building Inspector

By Suzanne King

LEE — Citing a recent "big mistake" involving the issuance of two building permits for houses on Chestnut Street, the selectmen have said they will not reappoint Robert Lester as the town building inspector once his term expires on June 30.

During an open meeting on Jan. 27, the board reportedly told Lester they had decided not to reappoint him to the \$3,600 post, which he has held for the past five years.

"We were dissatisfied with the way he handled the Chestnut Street matter," selectman Chairman Diane Roosa said. "It was the

Lester Disputes Board's Decision, Says 'Unfair' Ouster 'Cooked Up'

strong feeling of the board that the procedure should have been followed."

According to Lester's own admission at a Board of Public Works meeting two weeks ago, he might have "goofed" in not checking with the BPW before issuing the building permits, but now Lester maintains that the fault is not his.

Lester called the board's decision not to reappoint him "unfair," and he said he had no reason to

believe that Chestnut Street, which has been a town way since as far back as 1801, was not an acceptable road.

"I personally think (the selectmen's decision) is a little unfair," Lester said. "Everyone is entitled to make a mistake, although I do not think I made a mistake."

"It seems that unless you are with the 'in' crowd (in this town), you are not allowed to make a

mistake," he said.

The BPW maintains that the narrow dirt road is inaccessible to town maintenance and emergency vehicles, so the building certificates should have never been issued.

The board had to qualify the certificates of occupancy it issued to the new houses two weeks ago by saying the town could not guarantee maintenance or emergency services.

Roosa said Lester's "big mistake" of issuing the building certificates is costing the town money. The selectmen have discussed

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Lee Ousts Building Inspector

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abandoning Chestnut Street beyond the new houses, but have said the first part of the road will remain a town way, which could involve expensive repairs.

Selectman Martin Deely said

the town is "grateful for what Lester has done." Lester said he was not surprised by the selectmen's decision. "It has been cooked up for awhile," he said. "They were looking for someone to blame."

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Louise B. Tyler

LEE — Mrs. Louise B. Tyler, 89, of Prospect Street, formerly of Laurel Street, died yesterday at Berkshire Hills North Nursing Home in Lee.

Born in Lenox on June 23, 1903, daughter of Harry and Mary Watkins Joyner, she was educated in Lenox schools. She moved to Lee 68 years ago.

Mrs. Tyler was employed by the former Lee Laundry, retiring many years ago.

She was a communicant of St. Mary's Church and a member of the Lee Senior Citizens.

Her husband, John R. "Tom" Tyler, died in 1973.

She leaves two sons, Jack E. Joyner of Lanesboro and Thomas R. Tyler of Pittsfield; four daughters, Mrs. Phyllis M. Pereglou and Mrs. Joyce L. Leydet, both of Lenox Dale, Mrs. Joan M. Bentley of Radford, Va., and Mrs. Theresa A. Vreeland of Lee; a brother, J. Edgar Joyner of Jacksonville, Fla.; two sisters, Mrs. Dorothy Farrington and Mrs. Mary Beechman, both of Lenox; 24 grandchildren, and 41 great-grandchildren. Another daughter, Mrs. Marion Wellington, died in 1991.

The funeral will be tomorrow at 9:15 from Kelly Funeral Home, with a Liturgy of Christian Burial celebrated at 10 at St. Mary's Church. Burial will be in St. Mary's Cemetery.

Calling hours at the funeral home will be tonight from 6 to 9.

Memorial donations may be made to St. Mary's Church in care of the funeral home or to Emergency Sight and Hearing Fund in care of Charles DeAngelus, 318 Grange Hall Road, Dalton, 01226.

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Lee Selectmen question need for police presence

By D.R. Bahlman
Berkshire Eagle Staff

LEE — The Selectmen have questioned Police Chief Edward J. Finnegan's decision to station an on-duty police officer at several recent Monday night meetings of the board.

Asked at a Selectmen's meeting Wednesday why there has been a police officer at meetings, Finnegan replied that he has recently been "privy to information that's not made public, and I assign people where I think there might be a problem."

He would not discuss the specific reasons for his decision but said he has lately been getting some information "that's causing me concern."

Selectman Martin H. Deely replied that the Selectmen "are old enough to take care of themselves." Chairman Diane P. Roosa said it makes no sense to have an on-duty officer sitting in the Monday night meeting for two or three hours.

"I felt, based on some issues that were brought to my attention, there's a public safety issue," said Finnegan. The officer is always available to respond to an emergency anywhere in town, even if he's in the Selectmen's meeting, the chief said.

"I prefer they wouldn't be there," Deely replied, referring to the police presence.

Backing for chief

But Selectman John E. DeVarenes backed Finnegan. He said that he had had a more detailed, private conversation with the chief this week and that he felt Finnegan's actions were justified.

"If you have a public safety issue, it's warranted," said DeVarenes.

DeVarenes made public to the

board a copy of a police report which described a telephone call made by Lee resident Brian Thorne to Eagle reporter Ellen G. Lahr at 12:20 a.m. Tuesday, several hours after the Monday night Selectmen's meeting. The report indicates that Thorne sounded intoxicated and somewhat threatening. He stated that he intended to have a confrontation with Lahr at next Monday's meeting.

Thorne operates a television camera for Cable Television of Southern Berkshire, which broadcasts the meetings.

However, the phone call occurred after last Monday's meeting, and Finnegan was told that the report doesn't justify his earlier decision to assign a police officer to the meeting.

DeVarenes apologized for making the police report public, but said it was the only written documentation available to support Finnegan's concerns. He said Finnegan gave him other information as well, which further convinced him that the chief was acting properly.

Stands by policy

Finnegan said yesterday that his position on the issue has not changed.

"There are a lot of good people out there on the streets of Lee, and when they come to me with their concerns, it's my responsibility to follow up in whatever way I think best," the chief said. "This was one of those instances. It's a public safety issue; it's as simple as that."

At the conclusion of Wednesday's meeting, Finnegan agreed to have the officer remain in the Police Department office down the hall, rather than in the hearing room.

Lee ambulance squad in need of EMTs to serve during day

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Unless more volunteers come forward, the Lee Volunteer Ambulance Squad may have to hire paid EMTs to run the ambulance during the day, according to squad president Kenneth LaBier.

LaBier said the ambulance squad doesn't favor hiring paid emergency medical technicians, as some small towns have done, to assure daytime availability of EMTs. But in Lee as in other towns, the difficulty of finding regular daytime volunteers is increasing, he said yesterday in a meeting with the Selectmen.

Another possible solution would be regionalizing the squad with that of another town.

LaBier said that with two-income families, and with more people working out of the area, there are fewer people available to respond to ambulance calls during business hours. Generally there are more EMTs available at night and on weekends, he said.

If the squad decides to hire EMTs, they would be paid with revenue from ambulance fees, said LaBier.

A paid municipal squad could be self-supporting because bill collection has almost doubled since the town hired a private company to collect payments. Collections have gone from 40 percent to more than 70 percent since Comstar, an Ipswich firm, was retained, he said.

The Selectmen discussed possible incentives for town residents who volunteer to become EMTs, such as tax abatements or a stipend for each call they respond to. But LaBier said volun-

teer EMTs aren't interested in collecting money. Selectman Martin H. Deely suggested that more town employees could be enlisted to be EMTs.

LaBier works at the town's waste-water treatment plant, and another daytime EMT is a school custodian who is allowed to respond to calls.

An employee of Country Curtains who is a Pittsfield resident will also soon be responding to calls as well during business hours, said LaBier. He commended the business for allowing her to respond to ambulance calls during work hours.

The average ambulance call takes about 90 minutes, he said.

City & Town

Lee Library taking steps to prevent further thefts

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — The Lee Library Association is planning to install a security system, after the library was burglarized last week for the fourth time in less than a year, said director Georgia A. Massucco.

She said the most recent break-in was discovered a week ago. One of two telephones was taken, along with a cash box that contained between \$75 and \$100, said Massucco.

The loss of money was unfortunate, but even more irritating is the cost of replacing the telephone, an older model, she said.

"I really want my handset back," she said. "It's an AT&T 400 model with a two-line system. I want my phone back."

If she can't recover the phone, the library will have to change its telephone system, which will cost about \$200, she said.

The library was burglarized on three other occasions last year: on March 21, July 30 and Dec. 5.

The previous burglaries involved less money, no more than \$30 on any one occasion, she said.

Meanwhile, locks have been added and the library association is looking into installing motion detectors and other security equipment.

"This person is making us do all this stuff, which, I guess, we should have done before," she said. "This is an offense against the people of Lee. We keep the library for them and there's someone in here stealing."

Police have been informed of all the break-ins, she said.

Chief Edward J. Finnegan said yesterday the recent break is under investigation.

Lee school board member plans to run for selectman

LEE — Carol E. LePrevost said yesterday she plans to challenge incumbent Selectman Diane P. Roosa in the May town elections.

LePrevost, 46, who is chairman of the School Committee and an active participant in Monday night Selectmen's meetings, said she will pledge to listen carefully to the concerns and suggestions of townspeople.

"I haven't been happy for the last year or so with what's going on," said LePrevost, who doesn't hesitate to express her criticisms of the current Board of Selectmen. "I don't feel they're listening. I'm running on the fact that I'll listen."

If elected, she will have to give up her position on the School Committee, a seat to which she was re-elected last year. Residents cannot hold two elected positions.

An unenrolled voter, she took out nomination papers yesterday and must return them to Town Hall by March 29 with at least 21 signatures. The election is scheduled for May 17, said Town Clerk Patricia D. Carlino.

Roosa, a Democrat, said yesterday she intends to seek re-election.

LePrevost said she was disappointed with the Selectmen's recent decision to abandon Chestnut Street as a town road. She said she was also frustrated by their initial refusal to take action that would have allowed the School Department to bypass some bidding procedures for repairs to the Lee High School roof. The board changed its position

Wednesday, however.

"I have nothing terrible to say about anyone on the board," she said. "But sometimes when you get into office you stop listening."

She decided she either has "to get in or out" of the town government process and decided to get in.

LS

Olver sets education forums at Lee, Barrington schools

GREAT BARRINGTON — U.S. Rep. John W. Olver, D-Amherst, will begin a series of education forums, or town meetings, across the 1st Congressional District next week, conducting the opener Monday at Monument Mountain Regional High School from 7 to 9 p.m.

"Education has taken a front seat with the Clinton administration," he said in a telephone conversation this week, "and we have an opportunity to take up education reform in '93 that can be very significant."

During the day Monday, he will also visit Lee High School, teaching and meeting with faculty and students, said Lee Superintendent Henry T. Zukowski.

Zukowski said Olver, a former science professor, will be at the school from 10:30 to 3. He will teach a biology class, meet with the Student Council, have lunch with students and visit with the faculty.

Olver, who served on the House Education Committee last year, said there are "extremely powerful data showing that people with low educational attainments fall

farther and farther behind, economically." As a result, education reform and improvement are clear priorities.

He said he does not know if other congressmen are conducting forums like those he plans here, but said the idea for them was spurred not only by the Clinton victory but by a survey of education needs his office conducted among constituents a year ago. "Some of those answers were very thoughtful," he said.

At the forums beginning here, he is inviting citizens to "come and share their views."

He plans to conduct 15 to 20 of the forums between now and mid-March throughout the district, which extends from the Berkshires to Fitchburg.

"Education and our long-term economic recovery are strongly linked," he said.

He added that he believes the new president "has a strong understanding of the concepts and needs of education. There is no more money now than there was under the previous administration, but we now have a person willing to give it priority."

Bill includes amendment to aid E.C.H. Will workers

By D.R. Bahlman
Berkshire Eagle Staff

LEE — Legislation aimed at assisting employees laid off by the E.C.H. Will Manufacturing Corp. will be included in an economic reform bill, State Rep. Christopher J. Hodgkins, D-Lee, said yesterday.

Although a similar proposal received preliminary approval by the state House and Senate last year, the bill failed to get final approval on the last night of the 1992 legislative session.

The proposal allows laid-off employees to receive unemployment benefits regardless of the severance pay provided by the company. A state law approved last year prevented laid-off workers from collecting unemployment benefits while they were collecting severance pay.

The E.C.H. Will severance package was negotiated in the late spring of 1992, prior to the date the law went into effect, said Hodgkins. Thus, E.C.H. Will workers laid off after the law's effective date, Sept. 6, 1992, who had expected to receive both unemployment benefits and severance pay, received only the severance package.

"This revised law left many of the employees of E.C.H. Will out in the cold," said Hodgkins. "The employees who were being most affected by this law are the ones who have been working at the plant for a very long time and the most dedicated employees who stuck with the company to the bitter end."

Hodgkins said the Joint Committee on Commerce and Labor held a public hearing yesterday on Gov. William F. Weld's jobs bill, which he filed on Jan. 25. Hodgkins offered an amendment to the bill that would allow the former employees of E.C.H. Will to be "grandfathered" under their negotiated plant settlement and collect both severance and unemployment benefits.

"My goal is to get E.C.H. Will employees the money they deserve as quickly as possible," Hodgkins said. "They have waited long enough this winter. I am confident that we will succeed this time around."

Lee woman passes state bar exam

LEE — New England School of Law in Boston has announced that Marilyn A. Yetz of Lee recently passed the Massachusetts state bar examination.

A graduate of St. Joseph's High School, she received a juris doctor degree from the New England School of Law and a bachelor's degree from Regis College.

Yetz was sworn in Jan. 15 by Judge James P. Dohoney in Southern Berkshire District Court in Great Barrington and has opened a private practice at 49 Main St.

Failla plans to run for selectman's seat

LEE — Louis V. Failla said yesterday he intends to make his fourth try for a seat on the Board of Selectmen, challenging incumbent Diane P. Roosa in the May town election.

Failla, 43, is the second candidate to announce plans to challenge Roosa. Last week School Committee Chairman Carol E. LePrevost said she will also run for election in May.

A member of the Zoning Board of Appeals and former Planning Board member and town representative, Failla commended the current board for its good work and called Roosa a "great selectman, an asset to the town." Despite criticism to the contrary, he said, the board is very responsive to town concerns.

"I just think I can do a little better," he said.

Failla said he sees numerous mistakes being made — such as the decisions that precipitated the zoning controversy involving

the Locker Room and in abandoning Chestnut Street as a town road. Important questions are not being asked before decisions are made, he said.

He said he believes that the town representative form of government, which is being challenged by a group of residents, is a good method of government but that it could be improved upon.

And he said the Selectmen should take a more active role in overseeing the work of other appointed boards in town, such as the Planning Board.

"I know the insides and outsides of all the town boards, and I believe I have a service to give to the town," he said.

Regarding frequent criticism leveled at the Selectmen from a group of vocal residents, Failla said that if elected, "I'll shoot right back."

Failla, who lives on Fairview Street, works for Lee Lime Corp.

Lee 73, St. Joseph's 36 2/2/93

LEE — The Wildcats earned their seventh straight win by taking a 39-14 halftime edge.

Sarah Blaisdell had the best all-around game for the winners, scoring 14 points, gathering nine rebounds and playing a tough defensive game. Kasey McManmon added a season-high 14 points for Lee, while A.J. Skowron dropped in 13 points.

Lisa DeVergilio had 12 points to pace the Crusaders. A-3

Wal-Mart eyes site in Lee

By Ellen G. Lahr

Berkshire Eagle Staff

LEE — Wal-Mart, the nation's largest and fastest growing retailer, is considering purchasing land on Route 102 in South Lee for a two-store retail plaza, town officials confirmed yesterday.

"I think they're very serious," said Selectman John E. DeVarenes yesterday. "My understanding is it was either here or Great Barrington."

Town Administrator Frank E. Abbondanzio stressed that "it's not a done deal yet."

The Lee proposal includes plans for a Wal-Mart store and a supermarket, officials said.

Third store

If the Lee plans proceed, it would be the third Wal-Mart store in the county. One is under construction in North Adams and another is planned for Pittsfield next to the Berkshire Mall.

DeVarenes and Abbondanzio said yesterday the town has been in contact with Wal-Mart representatives for several months about the Route 102 site, which includes a 10-acre parcel of town land and 20 acres of adjacent private property. Engineers have already done some site evaluations, said Abbondanzio.

A zoning change would be required, and selling town land to Wal-Mart would require an involved evaluation process and town meeting approval, said Abbondanzio. The town parcel is located in front of the town's wastewater treatment plant.

It was unclear yesterday whether Wal-Mart has signed an option to purchase the 20-acre tract from the Salinetti family, but negotiations are reportedly under way.

A spokesman for Wal-Mart in Bentonville, Ark., said the company has made no announcements regarding the Lee site.

"I can't confirm anything until everything is finalized with the site," she said.

Wal-Mart was widely rumored to be looking for a development site in Great Barrington, but that effort doesn't appear to hold the same prominence that it once did, sources said.

Chamber president worried

Abbondanzio, who is eager to implement economic development plans in town, said earlier yesterday the possibility of a Wal-Mart should be viewed as part of a townwide redevelopment effort to preserve the integrity of existing retail businesses.

"I'm sure it will stimulate quite a bit of debate," he said. "The project deserves a look-see from the community."

But Chamber of Commerce President Mary K. Brad-

LEE, continued on A4

Wal-Mart taking look at Rte. 102 site in Lee

LEE, from A1

bury expressed concern yesterday about the impact of a Wal-Mart on Lee's retail economy, which is supported largely by Main Street's small family-owned businesses.

A Wal-Mart could undercut local merchants, provide mostly low-paying service jobs and take profits out of the community to an outside corporation, she said.

"I don't think it's the best thing, and I don't think it's the worst thing," she said.

She said the county already has a number of discount stores, such as Ames and K mart, and that another Wal-Mart will saturate the market.

"It may add jobs, but it won't add a great amount to the economy," she said.

She also questioned whether the town can support another supermarket; there is already a small Price Chopper in downtown Lee. However, in recent years residents have expressed interest in having another supermarket.

Some merchants are extremely concerned, said Bradbury.

Abbondanzio said any such development should be viewed comprehensively, in the context of the townwide development. At last night's Selectmen's meeting, he raised the possibility that Wal-Mart would be asked to help fund a study of the project's impact on downtown Lee.

The subject of using town property for private development may be raised at a Conservation Committee hearing scheduled for this evening.

After a Williamstown botanist approached the town in June 1992 to ask for a land donation for a \$35 million rain forest conservatory, an effort was made to protect undeveloped town land from commercial interests.

Tonight's hearing will involve a discussion of placing a number of town-owned parcels under the protection of the Conservation Commission. However, the Route 102 site is not on the list of properties to be protected.

Century Cable drive collected 250 toys

LEE — Philip Hopkins, Century Berkshire Cable's general manager, has announced that the company's annual "Century Cable Cares Holiday Toy Drive" resulted in the donation of more than 250 new toys to needy children in South Berkshire. Between Nov. 16, 1992, and Dec. 23, 1992, Century Cable offered free installations and upgrades to subscribers in return for a new, unwrapped toy.

Century Berkshire Cable distributed the toys through Community Services in Great Barrington and the Lee Policy Department's annual Laliberte Fund. Both Community Services and the Lee Police Department had dramatic increases in the number of requests for assistance this past holiday season, Hopkins said.



Joel Librizzi / Berkshire Eagle Staff

U.S. Rep. John W. Olver, holding paper, speaks with members of the student council and administrators at Lee High School. Also standing are Principal Richard Salinetti, left

of Olver, and Michael Puntin, president of the student council, far right. Seated between Olver and Puntin is Kathleen Bort, dean of students.

Olver talks over issues at Lee High

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — U.S. Rep. John W. Olver visited Lee High School yesterday, meeting with students, teachers and administrators to discuss educational issues.

His conversations touched on the topics of Head Start programs, the importance of obtaining a college education and the growing demand for financial aid.

Olver, D-Amherst, also visited the horticulture program's greenhouse, spent time in a chemistry class and drove out to Mountain View Terrace for a look at the house being constructed by the carpentry program. He met with school staff at a reception.

Speaking with the student council in the library, the congressman told students that half the country's 18- and 19-year-olds have only a high school diploma or have dropped out of high school.

Lower earning power

The earning power of that group, he said, is dramatically lower than it was 20 years ago: for high school dropouts, 25 percent lower, and for high school graduates, 15 percent lower.

People with college degrees "are barely holding their own," and only people with postgraduate education have actually increased their earning power, Olver said.

School Principal Richard T. Salinetti told him that Lee High has had only one dropout in the last two years.

With the Clinton administration more committed to educational improvements, Olver said, "there's a great potential to get something done."

Yet he acknowledged that federal money accounts for less than 10 percent of what is spent on public education. Most school funding comes from property taxes and state aid.

Olver said he visited Southern Berkshire yesterday to familiarize himself with the school systems before last night's education forum at Monument Mountain Regional High School in Great Barrington.

Lee Selectmen asked to reconsider on Lester

By D.R. Bahlman
Berkshire Eagle Staff

LEE — The Selectmen were asked last night to reconsider their decision not to reappoint Building Inspector Robert W. Lester when his contract expires June 30.

"Everyone makes mistakes, that's why there are erasers on pencils," said former Selectman William Bean.

Last week, after indicating displeasure with what they perceive as Lester's questionable issuance of two building permits on Chestnut Street, the Selectmen told Lester that he would not be reappointed.

Officials said that Lester's failure to have the Board of Public Works "sign off" on the building permits will be costly to the town because about \$50,000 in street repairs are now needed to assure that the East Lee dirt road and its intersection with Route 20 are made safe.

Chestnut Street 'catalyst'

Last night, answering questions from Bean, Selectman Martin H. Deely said that the Chestnut Street issue was "the catalyst" that led to the board's decision not to reappoint Lester.

Recalling that the board's vote on Jan. 25 to abandon Chestnut Street beyond the existing houses had been ruled illegal by Town Counsel Jerome J. Scully, Bean asserted that the Selectmen share some responsibility for problems associated with the street.

"If Chestnut Street is the only reason [for Lester's dismissal], then maybe this board should resign, too," said Bean.

Scully had told the board that a public hearing must be held before a road can be abandoned.

Last night, Bean said that Lester "has been in court on behalf of the town more often than any building inspector we've ever had," and urged the board to reconsider its decision.

Lester's wife, Charlotte, also appeared at the meeting on behalf of her husband, who was attending another meeting elsewhere in Town Hall.

She said that the Selectmen's action came as a surprise to her husband, who she said had been given no indication that the Selectmen were displeased with his work.

Deely said that there had been "several meetings" and discussions with Lester at which the topic of his job performance had been raised.

In other business last night, the board read a letter from Superintendent of Schools Henry T. Zukowski. The letter explained that a waiver concerning procedures for soliciting bids on repair work to be done on the Lee High School roof dealt only with shortening the deadline for advertisements for bids published in a statewide register.

Otherwise, Zukowski's letter said, all bidding procedures mandated by state law would be fully complied with.

Laura Read 2/3/93

LEE — Mrs. Laura D. Read, 68, of Berkshire Hills North nursing home died there Monday.

Born in Camden, N.J., on Aug. 9, 1924, daughter of Robert and Laura Marconi Gardner, she was educated in schools there and was a graduate of Merchantville High School in Camden. She moved to Lee in 1987.

Mrs. Read moved to Sheffield in 1957, where she worked for the former Meadows Snack Bar and then for the American Institute of Economic Research in Great Barrington. She later worked for Becton Dickenson Manufacturing in Canaan, Conn., and was last employed by Goodwill Industries in Pittsfield from 1957 to 1959.

She was a communicant of St. Mary's Church in Lee.

Her husband, Francis J. Read, died in 1964.

She leaves a son, Joseph R. Read of Stockbridge; a daughter, Miss Roberta E. Read of Lee; a sister, Mrs. Barbara Stevens of Philmont, N.Y., and a grandchild.

The funeral will be Friday at 9:15 from Kelly Funeral Home, with a Liturgy of Christian Burial at 10 at St. Mary's Church. Burial will be in St. Mary's Cemetery.

Calling hours at the funeral home will be tomorrow evening from 7 to 9.

Lee meeting schedule draws fire

LEE — The Selectmen's recently instituted practice of holding morning meetings with town department heads has drawn criticism from Joseph Castronova, a member of the Berkshire Alliance for Open Government, an ad hoc citizens' group.

Castronova told the board at its regular meeting Monday night that the timing of the morning meetings is so inconvenient for most citizens that it amounts to deprivation of their right to participate in their government.

Selectman Martin H. Deely and Selectmen Chairman Diane P. Roosa defended the practice, saying that no policy decisions are made during the meetings, which they said are posted, open to the public, and intended to keep the Selectmen more fully informed about the day-to-day workings of town departments.

"A lot of people work nights, too, and night meetings would be inconvenient for them," said Roosa.

Deely said that the Selectmen often have difficulty scheduling meetings that all three board members can attend, so the morning gatherings serve that purpose.

Schmidinger's 'World' ski debut postponed

SHIZUKUISHI, Japan (AP) — Organizers who had hoped for a two-week spell of fair weather for the World Alpine Ski Championships had their hopes dashed before the first event even began.

The opening event of the biennial ski championships, the women's combined downhill today, was postponed after hours of waiting futilely for a wind-driven snowstorm to leave the Mount Kotakakura area. The start was delayed three times before being postponed at 12:30 p.m. (10:30 p.m. EST yesterday).

There was no immediate word when the women's race would be rescheduled. The women's open downhill is scheduled tomorrow.

[Krista Schmidinger of Lee is scheduled to take part in both the combined and downhill events for the U.S. Ski Team.]

Lee 61, Hoosac 57

LEE — The Wildcats got revenge for a 48-40 loss back on Jan. 15 and, more importantly, kept their hopes alive for a Southern Division title.

"We know what we have to do for the last five games," said Lee coach Matt Capeless. "Our fate is no longer in our hands. It's in our hands plus someone else's hands. We just have to go out there and win."

It wasn't going to be easy for Lee, however. The Wildcats didn't lead until David Clark hit a one-and-one with 3:36 left in the first half, and they went into the locker room with a 25-21 advantage.

Puleri scored 10 of his 24 points during the first six minutes of the second half, helping extend Lee's lead to 38-28. But with five minutes remaining, and Hoosac down 49-37, the Hurricanes made their move.

In four minutes, the Hurricanes outscored Lee 13-4 behind David Catelotti's seven points. Hoosac got back in the game by increasing its defensive pressure and forcing 11 second-half turnovers by Lee.

Lee clung to a 55-52 lead with 32.2 seconds remaining, but Hoosac's Eric Gagne fouled out and Lee's Pete DiGrigoli made both ends of the one-and-one, giving Lee a 57-52 advantage. It was a double blow to Hoosac, because Gagne led the Hurricanes with 19 points.

"We changed our zones a little bit, and rattled them here and there," Hoosac coach Bill Robinson said. "We got it going in the second half, but it was too little, too late."

David Clark had 16 points and Kevin Burch 14 for Lee.

BOYS, continued on C3

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The Berkshire Eagle, Wed

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■ BOYS, from C1

Lee won the jayvee game, 52-51.

Feb 3, 1993

Lee -- future home of next Wal-Mart?

After weeks of quiet discussions, it was disclosed this week that the giant Wal-Mart discount retail chain is seriously considering building a new store on state Route 102 in South Lee.

Town officials emphasized that Wal-Mart's plans are not yet firm. But, "My impression is that they are very serious about Lee," says Selectman John DeVarennes, who participated in meetings with Wal-Mart representatives.

The potential site is near the Massachusetts Turnpike on Route 102, close to the town's wastewater-treatment plant. Wal-Mart is also considering including a super-market in the complex.

Wal-Mart reportedly hopes to combine 10 acres of town land and an adjacent 20-acre private property owned by the Salinetti family.

Selectman Martin Deely says his impres-

sion is that Wal-Mart sees Lee as a desirable potential location because it is a regional shopping area and the site is close to the Massachusetts Turnpike.

A Wal-Mart representative in its hometown, Bentonville, Ark., would neither confirm nor deny interest in a Lee site because no final decisions have been made.

Since late last year, Wal-Mart representatives have held a number of subsequent meetings with selectmen, town administrator Frank E. Abbondanzio, and other board members.

"They were looking to see whether town officials would be in favor of them pursuing this project here," says DeVarennes. "I think the response they received was basically favorable."

Wal-Mart would have to obtain a zoning change for the site. In addition, it would have to negotiate for the use of the town-

owned land. Both actions require a two-thirds vote at a town meeting. Environmental factors will have to be reviewed.

Wal-Mart is already building a store in North Adams and has proposed another store in north Pittsfield. Speculation exists about a third store in Great Barrington and it is not known whether the corporation is looking at Lee as an alternative to Great Barrington or the site of a fourth Berkshire County outlet.

Michael Hogg, a board member of the Southern Berkshire Chamber of Commerce, says news that Wal-Mart may build in Lee rather than Great Barrington brings some relief because "25-acre parking lots don't fit into the character of the Berkshires," he said. "But the jury is still out -- are [Wal-Marts] a plus or a minus?"

"It's important not to paint them as

Continued on page 4

Wal-Mart looks at site in Lee

Continued from page 1

monsters," he said, pointing to research which shows Wal-Marts often bring an increase in business to some kinds of nearby operations, such as furniture stores and higher-priced clothing stores.

Wal-Mart would bring a mix of both benefits and problems, says Mary Bradbury, president of the Lee Chamber of Commerce.

"You can't look in the face of 300 jobs and an increased tax base and say we don't want it," she says. "But the other side of the coin is that it would put a definite dent in business for retail stores in the community."

Whereas dollars earned at locally owned businesses usually stay in the community, Wal-Mart profits would not, she adds. Also, Wal-Mart's customer base, she projects, would probably be local residents rather than visitors to the county -- increasing the flow of profits out of the area.

Another concern is that the Wal-Mart may be positioned so that people would shop there and bypass downtown businesses, says Joseph Scapin, owner of Lee Hardware Store.

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Time for a change in Lee government?

Lee residents will have a chance to hear an update of the study of restructuring town government, ask questions and voice their opinions at two upcoming public meetings about the issue.

The first meeting, for residents in Districts 1, 2 and 3, will take place Thursday (Feb. 4) in the Airolti Building at 7 p.m. A second meeting for residents of Districts 4, 5 and 6 will be held the following Thursday at the same time and place. Those unable to attend on the night designated for their districts may attend the other session instead.

The study is a result of requests to review the present structure of Lee government, which is based on representatives from neighborhoods voting at town meetings rather than all residents being eligible to vote. The committee has been evaluating the possible choices for changes and also looking at the merits and flaws of the present system.

Lee Building Inspector not to be rehired

Last week the Lee Board of Selectmen told Building Inspector Robert W. Lester that his contract with the town will not be renewed after June 30.

The board cited Lester's controversial issuing of building permits for new houses on Chestnut Street as the immediate reason for their decision. However, they said other factors were also included in their decision.

Chestnut Street has been a source of friction in the town, because building permits were issued for two existing houses despite the questionable status and poor condition of the road. Last week the selectmen voted to abandon Chestnut Street past the two existing houses (where additional homes have been proposed) but Town Counsel Jerome J. Scully ruled that it is illegal to abandon a town road without a public hearing.

Lee retailers fear Wal-Mart

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Wal-Mart's fearsome reputation for squashing small retailers has made its way to Main Street, where mom-and-pop merchants are quaking at news that the national discounter is eyeing property in South Lee.

While the prospect of jobs and tax revenue is enticing to town officials who are concerned about stagnant growth in town, merchants see only trouble ahead for their businesses, many of which are already struggling because of the poor economy. The town's self-sufficient retail community, concentrated on the historic Main Street, has avoided outright dependence on tourists, and generally has been geographically independent of business influences in Lenox, Pittsfield and Great Barrington.

Wal-Mart could change that, sources said.

George A. Inman, who with his son bought Johannson's 5 & 10 on Main Street 10 years ago, said a Wal-Mart would quickly eliminate the family store, which carries everything from sewing supplies to children's toys and housewares.

'Just can't compete'

"I would say we'd be out of business in about two or three months after they open," he said with certainty yesterday. "Everything they sell, we sell, and they would affect us more than anyone else. We just can't compete with them."

"We are so worried," said Ruth Slaminsky of Lee, who works at Ben's, a Main Street shoe and clothing shop owned by her two daughters. "Where does it say they should have three of these stores in a 25-mile area? It's just terrible."

The fastest growing retailer in the country, Wal-Mart boasts "one-stop shopping," 80,000 different items at discount prices and friendly customer service. In Berkshire County, the corporation is currently constructing a Wal-Mart in North Adams and is in the process of seeking approvals to build another in Pittsfield. The Lee site under consideration includes two adjacent parcels of property: A 10-acre town-owned parcel and an adjacent 20-acre tract that is privately owned.

Studies have also shown that Wal-Mart stores have a dramatic impact on small, existing businesses, which can't compete with the big chain's prices. While some businesses close, others change their retail approach to stay afloat.

LEE, continued on A7



Leslie Noyes / Berkshire Eagle Staff

John Elling in his hardware store in Lee.

'It's too bad a big corporation can take a person's dream . . . and throw it out the door,' Elling said.

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■ LEE, from A1

There are other considerations that make a Wal-Mart less than appealing, business owners said.

Daniel J. Holmes, owner of The Penny Saver and vice chairman of the Lee Community Development Corp., said Wal-Mart's potential for growth would displace existing businesses.

And, he added, the town shouldn't consider the Route 102 site for retail business when industrial use is what's desperately needed in Lee and in the county. South Lee is an ideal location for industrial development, he said.

"Wal-Mart is not the kind of growth this town needs," he said. "I'd like to see jobs with long-term potential."

However, industrial developers aren't beating down the town's doors to bring new manufacturing firms to Route 102, a fact that forces Wal-Mart skeptics to pay attention.

Holmes and others acknowledge that Wal-Mart would create jobs, but not the kind of jobs that are being lost with the closing of local manufacturing plants. Still, jobs are jobs.



George A. Inman predicted his store, Johannson's 5 & 10 on Main Street, would be out of business within months of a Wal-Mart's opening in Lee. Leslie Noyes / Berkshire Eagle Staff

On Main St., Wal-Mart brings fear

Won't buckle

Selectmen Chairman Diane P. Roosa said "anything will help us out."

John Elling, who bought Elling Hardware three years ago on Park Street where Main ends, said he worries about the impact of a Wal-Mart, but won't buckle in the face of increased competition.

"If they come to town, we'll have to restructure business to a certain extent. Certain types of merchandise would have to change," he said.

Elling predicted that townspeople won't get the kind of service from a Wal-Mart than they do from their neighborhood stores.

But he was frankly disappointed at the prospect of redesigning his business.

"It's too bad a big corporation can take a person's dream of having a hardware store and throw it out the door," he said. "There's no such thing as a dream anymore."

State Rep. Christopher J. Hodgkins, D-Lee, held a more optimistic view.

He said the town stands to benefit from the development if Wal-Mart is willing to financially support Lee's downtown redevelopment efforts, as it is doing in North Adams. And the strong community-minded businesses

with specialized items and good customer service will survive, he predicted.

"This is no different than going to K mart or Ames," said Hodgkins. "If you need a big plastic barrel for garbage, you go to Ames or K mart. I don't think this will negatively impact the community."

And, he said, the plan also includes a second store, a supermarket, which many people in

town are enthusiastic about.

Others reflected his opinion that another supermarket would be welcome in town.

"I think people would like to have another supermarket in town," said Slaminsky. "We only have that small Price Chopper."

Roosa was involved in attempting to entice a second supermarket chain to open a store in Lee, but that the stores approached claimed there was an insufficient

population base to support a second store. That was about five or six years ago, she said.

"I don't know why there would be a change now," she said.

Selectman Martin H. Deely said he'd prefer to see an industrial business that pays \$12 an hour and good benefits move to South Lee.

"But do people want to gamble on the future or take what they can get now?" he asked.

Berkshire Eagle C-3 2/4/93 Lee wrestling club gets under way

The Lee Wrestling Club will make its debut by hosting the Monument Mountain junior varsity team today at 4 p.m. at the Lee High cafeteria.

The club, coached by former St. Joseph's High and Springfield College wrestler Mike Wellington, is open to youngsters in Grades 7-12 in Lenox and Lee. There are eight wrestlers in the club now, and Wellington said he welcomes more wrestlers. The long-term goal of the club is to create a program that eventually leads to a high school varsity involving wrestlers from Lee and Lenox.

The club meets Wednesday through Friday from 3:30 to 5:30 at Lee High. Interested wrestlers should contact Wellington at 637-9918.

Lee school system turning to lottery for preschool slots

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — The School Committee has decided to implement a lottery process for the preschool program in an attempt to eliminate what has been described as an unfair "first-come, first-served" selection system.

"Model students," defined by the school system as children who do not have special needs, now will be selected through a lottery system June 1 of each year. The committee decided Tuesday that the method would give all children in town an equal chance for admission.

Since the preschool program was implemented for 3- and 4-year-olds eight years ago, youngsters with special needs have been guaranteed a spot, as have "at-risk students" from economically disadvantaged families.

The remaining spaces have been filled on a first-come, first-served basis with "model students" who are taken from a waiting list.

Parents jump the gun

But school administrators found that it has been possible for some parents to place their child's name on the list a year or two prior to the eligibility date, giving them an unfair advantage.

"The way we are presently doing it doesn't allow much of a

chance for new Lee residents or parents who are not aware of the process to have their children enrolled," the new policy states.

The new admissions policy was prepared by Lee Central School Principal Steven Cozzaglio, school psychologist Warren Reynolds and special education director William Borden.

Superintendent Henry T. Zukowski said yesterday that the waiting list typically has far more pupils than there are available spaces. For example, the program now serves 48 children, 24 of whom are model students taken from the waiting list. Yet there are 35 children on the list still waiting for admission, he said.

June 1 lottery

The new system will create a waiting list based on a lottery, said Zukowski. Interested parents can submit their child's name for the June 1 lottery, which will govern admissions for the next September.

If a 3-year-old is admitted to the first year of the preschool, he must still go through the lottery system to be admitted to the second year.

An \$11,700 federal grant pays for part of a teacher's salary. There are two teachers and three aides in the program, most of which is paid for with town taxes, said Zukowski.

Businesses to Fight Wal-Mart

Continued from A1

"Every person who walks through those doors is money to Wal-Mart. I think Wal-Mart only cares about Wal-Mart and nothing else. They don't care about the town or the people or service or anything," he said.

A major concern Lee officials have is the use of town-owned land and the sale of a parcel of land in front of the town's wastewater

Abbondanzio said at the meeting there was no guarantee of approval for the site in Lee and Wal-Mart officials declined comment on the choice of a site in Lee.

"Our feeling is that with the economic conditions what they are, with the town suffering from the erosion of its tax base, this issue needs to be put up for people to discuss," he said.

Businesses Pledge To Stop Wal-Mart Development Plan

Feb 5, 1993 Berkshire Eagle p.1
Merchants Cite Potential Impact

By Mark K. McCulloch

LEE—Wal-Mart officials won't find a sympathetic ear in Lee if they intend to pursue a site for another two-store retail plaza along Route 102. Main Street business owners said they will try "everything possible" to block the proposal.

"It will definitely have an affect," said Don "Hoppe" Hopkins, owner of Lee Power Equipment. "We need to take a good long look at the plan. Some businesses can survive but I don't see any benefit to other people except for the price difference."

And Hopkins is not alone in his assessment. Joseph Scapin, owner of the Lee Hardware, said he simply cannot compete with the price. He said he stands to lose most of his Lee resident business and could not estimate what the dollar impact might be.

"You just can't compete with mass merchandising. I wasn't surprised they were coming because I heard it from my supplier. But it will definitely hurt every business in town," he said.

And John Elling, owner of the new Elling Hardware, said he probably couldn't survive because of the overhead and bills he has to pay. He said if the Wal-Mart does come to Lee, he would have to change his product line "just to survive."

"It won't be good for any of the businesses on Main Street. And if the small businesses in Lee fail because of Wal-Mart, what are they going to do for the town?" he said.

Elling, Hopkins and Scapin, along with other business owners

in Lee hope to fight the proposal if and when the proposed land sale to Wal-Mart comes to a vote at the annual Town Meeting.

Because the proposal involves the sale and use of town-owned land, a zoning change as well as a full Town Meeting vote is required before Wal-Mart could begin construction.

Speaking at the Selectmen's meeting in the courtroom Monday, Town Administrator Frank Abbondanzio said the plan should be looked at as part of a complete downtown redevelopment.

"I think it's an important project for the town and we can have a little leverage because it involves town property and agreement from the various town boards," he said.

"We're looking for some preference in the jobs creation for the Town of Lee residents both in the temporary jobs and the long-term permanent jobs."

Abbondanzio said there were a total of about 325 permanent jobs and said those whether those jobs would be full-time with benefits or part-time would be worked out.

He said concerns regarding the downtown area would be met before any deal could be reached and suggested Wal-Mart may be funding a \$50,000 grant to conduct an impact study and a plan for downtown business redevelopment.

But such promises were of little concern to business owners. Elling said he doubted whether or not Wal-Mart cared about Main Street business and said the corporation is in the business of solely making profits.

Continued on A10

Medical clinic opens quietly at Lee High

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — The county's first school-based health clinic opened yesterday at Lee High School, where five students dropped in for medical attention from a doctor and a physician's assistant.

"We were really pleased," said school nurse Joan Piacquadio, whose concern over many students' lack of health care prompted the program.

The clinic, staffed one day per week, will probably get many of its referrals from Piacquadio and Lee Central School nurse Diane Cinella, school staff said.

Yesterday, Cinella took a student from Lee Central to visit the clinic, and a high school student Piacquadio had seen Monday returned to consult with the doctor. One other Central School pupil was taken in by a parent, and two other high school students were treated as well, said Piacquadio.

She said the general procedure will be for the doctor or assistant to see the patient, diagnose the condition and prescribe treatment if needed, in consultation with the student's family doctor. If follow-up care is needed, the student is encouraged to make an appointment with the family doctor. Or if the student has no health insurance or has other problems related to getting care, he can be seen again at the clinic, she said.

The intent of the clinic is not to undermine the authority of the family doctor, she stressed.

Kathleen Bort, the high school's dean of students, said the clinic was started "very quietly this morning."

Peer leadership students attended all of the high school English classes Monday to inform students of it, and parents have been told of the clinic with notices sent in the mail.

Yesterday, Dr. Robert Wespiser and physi-

cian assistant Terry Ribadineyra, both of whom are affiliated with Suburban Medical Associates, staffed the clinic between 8:30 and 10:30 a.m.

Dr. Michael Kaplan of Hillcrest Health Center and an assistant will also staff the clinic one day each month, said Wespiser.

Wespiser said he was encouraged by yesterday's clinic activity.

"We really didn't know what to expect," he said. "But we made it easy, by either convenience or cost, for several people to be seen. And everybody was sick in one way or another."

Wespiser commended the "clear thinking" of school staff and administration regarding the operation of a school clinic.

"It's pretty interesting for a small conservative town," he said.

Principal Richard T. Salinetti said an open house for the clinic is tentatively scheduled for March 3.

Rep. Olver Inspects Lee High School Says Education System Needs Reform

By Mark K. McCulloch

LEE—The Lee High School Student Council received an unexpected visitor at its meeting on Feb. 1 when U.S. Rep. John Olver, (D., Amherst), dropped in for a chat.

Olver was at the high school meeting with administrators and teachers to "get an idea of the problems and concerns in the educational system here and around the district I represent," he said.

Olver took the opportunity to use the student council as a test for the National Education Goals Report which Olver said will be used as part of a nationwide revamping of the educational system from pre-K all the way through high school.

"It is clear that the whole system needs comprehensive reform. The educational system is worse now than it was 10 years ago and the need to be better educated is becoming increasingly more vital if you want to make it in this country," Olver said.

The study, conducted by the

nation's governors in 1989, sets an agenda for education by the year 2000. The goals include a 90 percent high school graduation rate, adult literacy, national standards of achievement and making American students the best in the world in math and science.

Dean of Students Kathleen Bort said although the students were excited about Olver's visit, "they really weren't prepared to talk on the issues he talked about."

"By his own admission, he did more talking than listening but I think the students were enlightened that there actually were national education goals and that Olver asked them about them," Bort said.

Olver asked the students to read over the goals and to rank them according to their own preference. Olver said he wanted to see if the students concerns were the same as the adults.

The students ranked adult literacy as their number one concern and a drug and violence free school

environment as the number two concern. The national report listed these same two goals as numbers five and three respectively.

And while the students were interested in the goals report and obliged the congressman, the seniors wanted to know about more immediate needs like financial aid. Student Council President Michael Puntin said his choice of a college would depend entirely on how much financial aid he could get.

Olver said the federal government passed legislation providing for larger grants for each student and by increasing the eligibility limit to \$45,000.

"The problem is that with more people applying it takes more federal money. There just isn't any money because of the huge deficit," he said.

Health care was the other big concern. Olver said by the end of 1993 he hoped there would be some kind of national health care system in place.

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Photo by Mark K. McCulloch

Joseph Castronova addresses selectmen and leveled conflict of interest charges against Selectman John DeVarrennes. Shown from left to right are Castronova, DeVarrennes, Chairperson Diane P. Roosa and Selectman Martin Deely.

Hodgkins Keeps Promise to Save 'Will' Jobs Plan

Berkshire Record 2/5/93 p.2
LEE—State Rep. Christopher J. Hodgkins, (D., Lee), followed through on his promise to reintroduce the Will Bill legislation as an amendment to Gov. Weld's jobs package.

The new amendment, similar to the one which died at the end of the 1992 session, would allow former ECH Will Manufacturing Corp. employees to be grandfathered under their negotiated plant settlement and allow laid-off employees to collect both severance and unemployment benefits.

The so-called "double-dipping" law, which went into affect Sept. 6, 1992, prevented laid-off workers from collecting both unemployment benefits and severance pay. Hodgkins said the new law left many employees "out in the cold."

The ECH Will severance package was negotiated prior to the new law going into affect, but left those laid-off after Sept. 6 without unemployment benefits. Those who had received severance pay were paid in a single payment

Continued on A10

Wilkinsons Get Back on Track

Continued From B1

Lee, Mass.

It was only natural that his sons would have some interest in the sport. In 1987 Todd and his younger brother Kevin started go-kart racing. At first they raced at the tracks closest to home which were located in Poughkeepsie and Cobleskill, N.Y. After tuning their talents on the local level the family began to travel the following year. It was in 1988 that Todd's brother Kevin won the IKF (International Karting Federation) Grand National Championship which was being held in Geneva, N.Y. The sport took them as far away as Indiana and Iowa and before ending their involvement Todd had won the IKF East Coast Division three times between 1989 and 91.

The time involved to follow the major races became too great with the average race taking the family away from home each weekend for two or three days. With close to 200 races entered and a win ratio of about 50%, Wilkinson Racing failed to race during the 1992 season.

Their might not have been a Wilkinson in victory lane in 1992,

but the desire was still burning as strong as ever. Todd had decided during the summer that he wanted to try stock car racing and after taking his father to the car he wanted to buy and race, things were about to start all over. Joe gave his approval saying "we can go racing, but we'll build our own car."

Whether snowmobile racing or go-kart racing, the equipment has always been first class, and after visiting the shop in which the family has been working since August, it looks like stock car racing will not be an exception. The race car to be is a 1981 Buick Regal and by appearance looks more like a NASCAR Grand National than a Street Stock. With help from Bill West of West Engineering, the team has gained vast knowledge learned by Bill's preparation of endurance sports car racers. John Deland of Deland Steel brings over 20 years of stock car racing experience having been part of the team that guided Dick Larkin thru the early crew of the Race Hill Farms Winston Cup team that won the NASCAR Rookie of the Year with Ron Bouchard as the driver. The team's car carries the number 47 as did Todd's go-kart and the

NASCAR racer his father crewed for. The car will be powered by a 358 Chevrolet that is built by local engine builder Denny Raspuzzi. As is true in all forms of Motorsports, funding is very important and sponsors who have decided to support the team are Kimball Oil, Berkshire County Transmission, Berkshire GMC, Bachetti's Auto Sales, Steve's Auto Repair, and Captain Toss's Seafood Restaurant.

Helping Todd on the car are his brothers Kevin and Jodie, Jake Schneider, Tim Fulco, Scott Sheraton, and his mother Darlene, and father Joe.

The first race for the team is the third Saturday in April at Lebanon Valley Speedway and plans are to run every Saturday night during the summer as well as entering the Wednesday Night Thunder 10 Race series being held in Malta, N.Y., starting in June.

If past performance is any indication, the Wilkinson Racing team should be off to yet another successful season of racing. The team has been invited to exhibit their racer at The 13th annual Auto Palace Racarama to be held at the Eastern States Exposition, March 5-7 in Springfield, Mass.

DeVarenne Defends Role Against Conflict Charges

Berkshire Record Feb 5 1993 A4

By Mark K. McCulloch

LEE—Joseph J. Castronova, an outspoken member of the Berkshire Alliance for Open Government, challenged Selectman John DeVarenne's participation during an executive session with the Board of Assessors because of an alleged conflict of interest regarding the Oak n' Spruce abatement issue and pending litigation with the property owners.

DeVarenne was present during a closed executive session Feb. 1 with the Board of Assessors which had asked to meet with the Selectmen.

DeVarenne denied there was a conflict of interest and said he had talked to Town Counsel Jerome J. Scully, who informed him there was no cause for concern.

The owners of the Oak n' Spruce property are currently in bankruptcy court and have filed "an adversary proceeding against the town in order to get the assessment reduced," said Scully.

"If he (Mr. DeVarenne) was

an assessor, there would be cause for concern," Scully said. "But because he is a Selectman and they do not make any decisions regarding abatements, or anything the assessors do, there is no reason to be concerned."

It has been alleged by the Berkshire Alliance for Open Government, an ad hoc citizens' group, that because DeVarenne owns a time-share unit in Oak n' Spruce, he should not be participating in the discussions of abatements or anything dealing with the property.

Scully said the Board of Selectmen have no official jurisdiction over the legal matter but do provide counsel and advice "as the chief executive officers of the town," he said.

Castronova, former chairman of the Lee Department of Public Works, also challenged the practice of the Selectmen having morning meetings with department heads saying the timing is so inconvenient for most people that the meetings don't allow fair participation in government.

Lee's Health Clinic Opens; First in State for Students

By Mark K. McCulloch

LEE—It's new, it's a little controversial and it's the only one of its kind in the state.

Lee High School began operating a health clinic Wednesday and now every student in the Lee school system will be able to get health care free of charge. The clinic has no name but the school has set up a contest for the students to come up with a name and a logo.

"The response has been really positive," said Joan Piacquadio, the high school nurse. "It's really like a microcosm of President Clinton's national health care plan," she said.

The clinic is open each Wednesday morning from 8:30 to 10:30

and is staffed by the school physician, Dr. Robert Wespiser, and physicians assistants. Every child from pre-K through high school, making it the only clinic of its kind in the state.

"The point of the clinic is to give kids the experience with getting health care. They can either go to the nurse who will bring them down, just drop-in and see the doctor or they can set up an appointment with the clinic doctor," Dean of Students Kathleen Bort said.

"There are so many kids out there without health insurance," Piacquadio said. "The idea really started because of concern for kids who, because of economic difficulty,

Continued on A10

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Lee High School's new health clinic, a "microcosm of the Clinton national health plan," opened Wednesday. Shown from left to right are School Nurse Joan Picquadio, Senior Joe Stedman, and Dean of Students Kathleen Bort.

Unique Health Clinic for Students Opens in Lee

Continued from A1
can't get health care."

The clinic will be operated "just like a doctor's office," Piacquadio would not say whether or not condoms would be distributed to students who request them but she did say that she knows of no doctor who hands out condoms from their office.

"Many of us felt that to just hand out condoms without counseling was bad business. I think it's important to remember that condoms are only safer and I stress the -er," she said.

The clinic idea was first suggested during a school committee meeting when debating whether or not to bring condoms into the schools.

Students reacted very favorably to the clinic idea and a majority of the students surveyed said they would use the clinic if they needed to.

"I was very pleased today. We had five students come in and they were treated for a variety of the common things you'd expect

this time of year," Piacquadio said.

She stressed that students were required to have permission slips signed by their parents and she said those who refused did so because they had adequate health care or were anxious about contraception advice.

"I had one parent say no because she didn't want the clinic giving her daughter birth control pills and that's fine," she said frankly.

Piacquadio said under current law, anyone 14 or older can get contraceptives by going to any family planning clinic.

"But I hope they remember that the only way not to get disease is through abstinence. I think the kids need counseling and advice and just giving out condoms is not the answer."

School officials said they were excited but a little anxious about the clinic and said only time will tell how successful this project is. An open house is scheduled for March 3.

"It's really like opening up a

new store," said High School Principal Richard Salinetti. "You don't have your grand opening on day one because you still aren't sure where everything is," he said.

"We had some trouble finding forms and such but everything went very well today. We are very optimistic that this will be a great success," he said.

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Two critics of Lee government system may seek election

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Joseph Castronova and Arthur Artig, two vocal critics of Lee's town representative government, have apparently adopted the philosophy "If you can't beat 'em, join 'em."

Or are they trying to infiltrate behind enemy lines?

Castronova and Artig have taken steps toward becoming town representatives in their districts. Artig has taken out nomination papers to run for election to a representative seat in District 4. Castronova has been lobbying his representatives in District 1 to give him a vacant seat there on an interim basis.

Castronova said last night that he is interested in joining the town representative system "so I can vote it out."

Asked what he would do if the system remained intact, he said he would try again to eliminate it.

This the second year in a row that Castronova has led a petition drive to abolish town representative government, which he has charged is an impediment to broad public participation in town government. His petition has made its way onto the May annual town meeting warrant, which representatives will take up at that time.

Artig has shared Castronova's views.

Yesterday Artig said if the representative system stays intact, he would like to have a role in improving it. However, he reiterated his opposition to the system.

"I've lived here more than six years and a representative from my district has never come to talk

Castronova wants to join the representative system so he can 'vote it out.'

to me," said Artig.

He said many of the nine representatives in his district often don't attend town meetings.

Three terms in his district are expiring in May, he said.

Edith Parker, chairman of District 1 representatives, said Castronova called her last week and indicated he wanted to be named interim representative. She said he also called other representatives to express his interest.

However, Parker said she wasn't sure how to respond because such situation hasn't occurred in her 12 years as a representative.

Majority vote

Town Clerk Patricia D. Carlino said that regulations allow appointment of an interim representative by a vote of a majority of the representatives in his district, during a meeting called by the chairman. If Castronova was named to the post, he would have to run for election to the vacant seat in May, she said.

If the position isn't filled by the district representatives in that manner, interested people can take out nomination papers and run for the district position during the May election, said Carlino.



An unfamiliar sight in the first half: all of the Lee Wildcat starters sitting on the bench as the girls' team was firmly in control of the game. Record Photo

Second String Shines in St. Joe Slaughter

LEE—Turnover, turnover, turnover. That's what handed the Lee girls' basketball team (12-3) an easy Southern Division win over St. Joseph's (1-13), 76-36, on February 1.

The Wildcats were able early and often to force the Crusaders to cough up the ball while running up a 20-3 lead before the Lee bench got to see plenty of playing time before the half.

In the Wildcats seventh straight victory, Sarah Blaisdell and Kasey McManmom each scored 14 points

Lee	73
St. Joseph's	36

in abbreviated appearances. A.J. Skowron contributed 13 to the cause. Lisa DeVergilio paced the Crusaders with 12 points, nine of which came with under eight minutes to go in the game.

The Wildcats, currently atop the Southern Division by four games, headed into the locker room up 39-14 at the half.

The evening's highlight had to

be the impromptu cheerleading by Lee's Mark Grady, complete with pom-poms while clad in Celtic green rather than Wildcat orange and black.

Blaisdell came back into the game at the start of the second half and ran up the score to 43-14 on a succession of jumpers with 13:50 left.

McManmom nailed a trey from the top of the key with 2:47 to go, to give the home team a 40 point lead, 69-29.

Final score Lee 73-36

Lee Assessors explain their rationale for giving abatement to Oak n' Spruce

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — The Assessors have tried to put to rest, once and for all, any concerns that they acted improperly in granting more than \$100,000 in tax abatements to the Oak n' Spruce Resort.

"I can understand why people are confused," said Assessors Chairman William F. Derrick, speaking at a board meeting Monday night.

He was responding to Carol E. LePrevost's request for an explanation about the abatements, which were granted for a portion of property taxes due in 1989 and 1990.

Dire straits

Derrick explained that the Oak n' Spruce Resort was in serious financial trouble before the abatement request. A New Jersey bank had taken over the resort, and then the bank collapsed during the nationwide savings and

loan crisis. After the bank was taken over by a government agency, the Resolution Trust Corp., the resort sought bankruptcy protection.

The town's tax bill came to approximately \$167,000 for each of those two years. But the abatements totaled about \$104,000 for the two years. The balance of the taxes was paid, town records indicate.

It was Resolution Trust that sought the tax abatements, said Derrick.

Board member Edward M. Briggs said Resolution Trust came to the Assessors and told the town there were two options: Either an abatement could be granted for the 1989 taxes or the town would have to wait for the money.

"What we opted to do was in the best interests of the town," said Briggs, who was serving on the board at the time of the abatements. "We took what revenue we could get."

In 1991, a similar incident occurred involving the 1990 taxes, the Assessors said.

"The last place we could get money was the RTC," said Briggs. "I don't know what else we could

do."

The town was having a cash flow problem, and agreed to abate part of the resort's taxes in exchange for immediate payment of the balance, said Briggs.

LePrevost questioned why Town Clerk Patricia D. Carlino didn't charge interest on the late tax bills, but Carlino replied that interest was paid amounting to about \$50,000.

Some of the interest was waived, she said.

"It doesn't work that way for all the taxpayers in Lee," said LePrevost.

The Assessors took issue with that, saying they were confronted at the time with the town's biggest taxpayer in financial trouble.

While the Oak n' Spruce issue has been raised over and over again by some town residents, among them town watchdog Joseph Castronova, Derrick said LePrevost was the first person to come directly to the Assessors for an explanation. He said the board wasn't interested in responding to accusations of impropriety being thrown at the board.

Asked why they never explained themselves fully, Derrick said the board has had other

pressing matters to worry about during the past year.

Charles O'Neil, a Lee resident, who also sat in on the meeting, told members of the board they had explained the situation "very well" and encouraged them to "bury the hatchet" over the issue with Castronova, by showing him he was mistaken.

At O'Neil's suggestion, Town Administrator Frank E. Abbondanzio agreed to pass on the Assessors' explanation at the Selectmen's meeting Monday, Feb. 8.

LePrevost said after the meeting she was satisfied that nothing underhanded had occurred in granting the abatements, but she still questioned whether it was all done legally.

"I'm still looking into it," she said.

Wal-Mart to present plan to Lee

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Wal-Mart representatives will present their plan for a proposed 141,000-square-foot shopping complex at a Feb. 22 meeting at the Senior Center, the town's administrator said yesterday.

And anticipating some heated exchanges at the 7 p.m. session, the Selectmen urged residents to glean as much information as possible before attacking what is shaping up to be a controversial issue in town.

"I hope it can be constructive rather than confrontational," said Selectman Martin H. Deely at a meeting of his board yesterday morning.

"We need to get as much information as we can," advised Selectman John E. DeVarennes.

Pioneer Development

Pioneer Development Corp. of Syracuse N.Y., the same company seeking approvals for another Wal-Mart plaza in Pittsfield, would be the developer of the Lee site, said Town Administrator Frank Abbondanzio. The company's representatives will make the Feb. 22 presentation.

Although the local business community has expressed alarm about the impact of the giant discount store proposed for a 30-acre tract on Route 102, town officials are urging people to keep an open mind about the plans, which would bring tax money, 300 jobs and possibly some redevelopment funding for the downtown area.

The project would include a 10-acre town-owned parcel in front of the waste-water treatment plant and 20 acres of private property.

With the prospect of industrial development on Route 102 elusive at this point, the jobs created by a Wal-Mart and an adjacent supermarket would be significant, according to town officials.

Resident August Passetto, at yesterday's meeting, criticized Abbondanzio, saying he appears too willing to sacrifice a piece of town property to aid a business that will only hurt local retailers.

But Abbondanzio said later that for him to unilaterally reject Wal-Mart's initiative without allowing townspeople to consider the plans would be "the ultimate abuse of power."

He and the Selectmen stressed that there are a number of opportunities for townspeople to speak their minds on the subject, and town representatives will have the final say.

That's because the development

LEE, continued on B10

Wildcats clinch South crown

By Brian Sullivan
Berkshire Eagle Staff

Lee girls' basketball coach Tom Cinella has a good feeling these days about his team. And why not? The Wildcats won their eighth straight game last night and in the process clinched the Berkshire County Southern Division title.

A 65-29 win at Mount Everett gave Lee a chance to cop its third straight Berkshire County title. That game will be played Thursday, Feb. 18, at Lee against the Northern Division winner.

"We're hoping that this is the start of some good things," Cinella said. "I've been pleased by the play of the entire team lately. We made a couple of small changes and right now the team is feeling very good about themselves."

Elsewhere, Wahconah moved one step closer to clinching the Northern Division with a 69-55 win over Taconic. The Warriors have a one-game lead over Pittsfield with three games to play. The Generals stayed close by defeating Hoosac 51-38.

Monument, meanwhile, held off Mount Greylock 61-54 with the Spartans' Anna Kinne and the Mounties' Karen Rice each scoring 26 points. St. Joseph's edged Drury 40-38 while Lenox defeated McCann Tech 53-10.

Lee 65, Everett 29

SHEFFIELD — The Wildcats won yet another Southern title by using their now-patented formula, fast-break offense and pressure defense.

"We just couldn't get through their press," said Everett coach Bob Miletich. "Their quickness and depth hurt, and they ran on us."

Lee schedules meeting for Wal-Mart presentation

LEE, from B1

must be preceded by a zoning change on Route 102 and the town's sale of land to the developer. Both of those steps require a two-thirds vote of a town meeting. And there would be hearings before the Conservation Commission as well.

But Passetto aired numerous concerns about the difficulty Main Street businesses will have in competing with Wal-Mart.

"It's up to you and the administrator to protect the livelihood of this town," he told the Selectmen.

"This is a decision that has to be made by the taxpayers," Abbondanzio replied. "It must be looked at comprehensively."

The second store in the plaza would be a supermarket, something many residents have expressed support for.

In other business yesterday, the Selectmen discussed the progress of fiscal 1994 budget preparations.

They agreed, as they had last year, to set aside a certain amount of free cash from fiscal 1993 — about \$300,000 — to offset next year's property tax increase.

Girls' Basketball

Lee jumped out to a 31-9 half-time lead, and Cinella substituted freely throughout the contest. Alison Forfa led Lee with 18 points, A.J. Skowron had 13 points and Sarah Blaisdell added 10. Amanda Rossi scored 23 of her team's 29 points.

Mount Everett won the jayvee game 41-38.

Lee 68, Mt. Everett 50

SHEFFIELD — Jeff Puleri and David Clark combined for 41 points, including 26 in the decisive second half, when Lee pulled away after leading only 27-22 at halftime.

"We went cold and they got some easy hoops off the transition," Mount Everett coach Randy Koldys said. "Puleri and Clark killed us in both games this year."

Clark had 14 of his game-high 22 points in the half and Clark had 12 of his 19. Lee wrapped up the victory by hitting 21-for-28 from the free-throw line.

Dan Lowe paced the Eagles with 13 points.

The Lee jayvees won, 44-36.

Agnes C. Wellington

LEE — Mrs. Agnes C. Wellington, 80, of Hyde Place, formerly of Willow Street in South Lee, died yesterday at Berkshire Medical Center, Pittsfield.

She was born in Stockbridge on Nov. 21, 1912, daughter of Graham and Paula Baldauf Stafford, and attended local schools.

After her marriage to Alden D. Wellington on Feb. 2, 1930, they moved to Great Barrington and then to South Lee in 1940. In the 1950s, Mrs. Wellington started the successful campaign to extend Lee's water lines to South Lee. Mr. Wellington died June 9, 1977.

Mrs. Wellington had made her home at Hyde Place since 1985, where she had held various positions in the Tenants' Association.

She was a member of the Church of the Good Shepherd and was active in its various affairs. She was also a member of the American Red Cross and had served as vice president of the South Lee Civic Association.

She leaves a son, Stephen D. Wellington of South Lee; a daughter, Mrs. Barbara A. Poll of Greenville, N.Y.; two brothers, Robert G. Stafford of Pittsfield and John P. Stafford of Louisville, Ky.; a sister, Mrs. Mabel Griffin of East Lee; six grandchildren and eight great-grandchildren.

The funeral will be Monday at 9:15 from Kelly Funeral Home in Lee with a service at 10 at the Church of the Good Shepherd by the Rev. Denis B. Ford, vicar. Burial will be in Fairmount Cemetery in Lee.

Calling hours will be tomorrow from 2 to 4 and 7 to 9 at the funeral home.

Memorial donations may be made to the Church of the Good Shepherd in care of the funeral home.

Berkshire Eagle

Lee wrestles with representative government

2/6/93 By Ellen G. Lahr B-3
Berkshire Eagle Staff

LEE — Representative town government has solved the problem of getting a quorum of voters to attend town meetings, but Lee's representatives and their constituents have lost touch with each other in a time when interest in politics is waning.

That was the consensus among members of the Town Government Study Committee and about 25 town residents — more than half of them representatives — who attended a public hearing at the Senior Center Thursday night to discuss the representative system.

Even the representatives agreed that if the system remains intact, it must be strengthened and perhaps tightened with some new rules. District meetings should be held regularly and more people need to be recruited to run for representative positions in town, people said.

Public's interest questioned

While a handful of residents spoke up in favor of returning to the open town meetings — where all registered voters have the right to vote — the study committee's chairman questioned the actual public interest in participation. He used Thursday night's attendance as a measuring stick.

William Noonan, who is chairman of District 2, questioned why so few of the people who favor returning to open town government showed up at the meeting.

"That's your strongest point," conceded Joseph Castronova, who is spearheading the effort to return to the open town meeting system.

Noonan said the committee is

eager to hear the "people with the gripes. We wish they would air them so we'd know what's going on."

Started in the '70s

The representative system was implemented in the early 1970s, when the town meeting attendance dwindled so low that meetings had to be canceled. That was when the district representative system was implemented.

The town was drawn into six districts with about 1,000 residents in each, and each district included nine representative seats, for a total of 54 representatives. Any voters in the district could run for election to those seats.

While there were complaints Thursday night about how the system has broken down and alienated some people who want to vote, attendance at town meeting hasn't been a problem.

Just over half the representatives are required to make up a quorum. Attendance generally averages 37 or more for a special town meeting and 48 for the annual town meeting.

Joseph Marino of South Lee said he was initially opposed to the representative system.

"But it seems if you're getting 38 percent of the reps attending meetings, it's better than getting just 2 percent of the general population," he said.

Selectman John E. DeVarenes said he notices that town meetings run much better now with representative government.

However, he and other representatives, including Noonan, complained that their constituents never contact them and don't attend district meetings. For that reason, most meetings have

ceased, they said.

Castronova and his wife, Dorothy, also questioned what they said are conflicts of interest for about a third of the representatives. They either work for the town or are related to someone who works for the town, or are members of a town board, said the Castronovas.

The suggestion was raised that anyone with a conflict abstain from voting, a solution that met with positive and negative reactions. Open town meetings can easily be "stacked" and are equally subject to conflicts, critics said.

District 1 representative Bonnie Viner raised the issue that there are no young people involved in town government; the youngest are in their 30s, she said.

"I'm a young person," said Timothy Walter, a non-representative who attended the meeting.

He stood to express his anger at the town system that deprives him of his vote and said the issue is about whether or not Lee is a democracy.

'Taken my vote away'

"I have lived in this town 14 years and I have yet to vote on how my money's spent," he said. "You've taken my vote away. This is what this country has gone to war about."

Walter said the town's lack of participation has resulted in low morale throughout town. Other towns in the county have gotten along fine with open government, he said. The Lee system, he said, "destroys the sense of community."

He sat down to a round of applause.

Representative Nelson Daley said most people in town are too

preoccupied with work and families to care much about politics, local or national.

"Some people don't even know that Mr. and Mrs. Clinton are running the country," he said.

The Thursday night meeting was held for residents in Districts 1, 2 and 3. On Thursday, Feb. 11, the study committee will meet with residents from Districts 4, 5 and 6 in the Lee Senior Center at 7 p.m.

SPORTS



Photo by Will McCoy

Erich Schmidinger of Lee, 17-year-old brother of U.S. Ski Team twin sisters Krista and Kim Schmidinger, passes a gate en route to his giant slalom victory yesterday at the Bay State Winter Games.

Another Schmidinger rules the hill

Erich follows twin sisters with ski win at the Games

By Tony Dobrowolski
Berkshire Eagle Staff

HANCOCK — One by one, the racers in yesterday morning's Bay State Winter Games' boys' scholastic giant slalom came down the hill. Some skied faster on the Jiminy Peak course than others, but all of them were under control.

Then it was Erich Schmidinger's turn. With a style that can only be described as controlled recklessness, the Lee skier hurtled through the turns, zipped around the gates, and finished in a shower of snow.

The 17-year-old Schmidinger, younger brother of U.S. Ski Team members Kim and Krista Schmidinger, was in a class by himself yesterday, and it showed in the final results. Schmidinger, who like his sisters before him attends Stratton Mountain Ski School in Vermont, finished first in both runs of the giant slalom to win the event by six seconds in 95.71. Brendan Clarke of Westford finished second in 101.73.

"Just ski like I normally do," Schmidinger said when asked to assess yesterday's performance in

GAMES, continued on C3

Erich Schmidinger paces Bay State skiers

■ GAMES, from C1

the Bay State Winter Games' only alpine skiing event.

The Bay State Winter Games conclude today. The 5- and 10-kilometer cross country ski races take place at Swift River Inn in Cummington beginning at 9:30 a.m. U.S. Figure Skating Association skating concluded yesterday, but International Skating Institute of America figure skating will take place today from 7 a.m. to 10:20 p.m. at the Lansing Chapman Rink in Williamstown. The final round of masters hockey begins at 6:30 a.m. at the Vietnam Veteran's Memorial Rink in North Adams. The Over 40 Division Gold Medal game is scheduled to start at 1:30 p.m.,

with the Over 30 championship game to follow at 2:45.

Schmidinger, who is a junior at Stratton Mountain, has been attending that school since 8th grade. He has been skiing since he was 2 and would like to either follow his twin sisters to the U.S. Ski Team or attend college in either Colorado or Utah.

Schmidinger said it is harder to make it to the men's national team than it is to the women's.

"I think it's harder for me because there's a lot more competition with the guys," Schmidinger said. "There's a lot more guys in the races."

"I do a lot more dryland training," Schmidinger said. "Some guys are really strong up north in

Canada and in Europe."

To practice, Schmidinger skied in Europe last year with some of the younger members of the U.S. Ski Team, and participates in Eastern Cup races.

Schmidinger decided to race in the Winter Games this year because it was close to home.

"I haven't raced here before, and my hometown is here so I figured it would be a fun race," Schmidinger said. "That's something I haven't done in a long time."

Several area skiers bypassed yesterday's race to participate in United States Ski Association races. But Schmidinger was dominant. He won the first run in 48.56, and the second run in 47.15.

John McMillan of Chelmsford finished third in 101.75. Doug Paige of Wilbraham was fourth in 102.06 with Danny Kimball of Longmeadow fifth in 102.28. Justin Klein of Pittsfield, who attends Vermont Academy, finished sixth overall in 102.36.

Alison Furey of Concord won the girls scholastic giant slalom in 104.75. Furey also finished first overall in both runs. Furey finished seven seconds ahead of second-place finisher Melissa Maguire of Wayland, who finished in 109.94.

Heather McLean of Topsfield was third in 111.06 with Leigh Ann Osborne of Peabody fourth in 111.34. Carly Seidewand of Groton finished fifth in 112.97.

Pioneer Corp. gets option in Lee for Wal-Mart site

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Pioneer Development Corp., the company aiming to build a Wal-Mart plaza in Pittsfield, has obtained an option to purchase 20 acres of property along Route 102 in South Lee, a company representative said yesterday.

Until yesterday, it was unclear whether Wal-Mart's reported interest in South Lee had led the Syracuse, N.Y., development firm to seek a formal option to buy the land owned by the Salinetti family.

But yesterday Mark Falcone of Pioneer Development Corp. said, "As we speak, it's probably been wrapped up."

Falcone, the partner in charge of retail operations, declined to discuss the details. But he confirmed that money had changed hands with the Salinetti family and that the company has a specific deadline for moving ahead with the Wal-Mart project, which would also include a supermarket. However, Falcone said the supermarket store hasn't been selected yet.

The retail project also would require an additional 10-acre parcel of town-owned land in front of the town's waste-water treatment plant. But the town can't sell that property without a two-thirds vote of a town meeting.

And the entire project would require a zoning change along Route 102, also requiring a two-thirds town-meeting vote.

30 acres needed

Falcone said yesterday the entire 30 acres would be needed if both stores are to be built. And building just one store, he said, isn't very likely.

He noted that Wal-Mart is currently evaluating the impact and feasibility of three stores in Berkshire County. One is under construction in North Adams and another is in the planning stages in Pittsfield.

"I think they feel the southern end of the county wouldn't be effectively serviced by the plan for Pittsfield," Falcone said. "By getting the store in Lee, it helps get the Great Barrington market and the South County market."

Wal-Mart, based in Bentonville, Ark., is said to be the fastest growing retailer in the country. Its discount stores have been met with controversy in many areas,

because smaller, established businesses cannot compete with the big chain's low prices.

Merchants concerned

Last week, some downtown merchants said they were extremely concerned about a Wal-Mart's impact on the self-contained community of mom-and-pop family stores.

But town officials are urging merchants and others to keep an open mind, because of the potential for some 300 jobs and increased tax revenue.

Falcone said development representatives are eager to meet with the Lee community, and a meeting has been scheduled for Feb. 22 to discuss the proposed plans.

Also on Feb. 22, Wal-Mart will appear before the Pittsfield Planning Board to discuss rezoning a portion of the Route 8 property to make way for the retail center.

Referring to Lee, Falcone said, "The community seems to be very open and receptive to new investment."

He stressed that Wal-Mart will bring "a lot of good-paying jobs" to the area, "despite the belittling that service jobs have gotten."

Lee 70, Drury 37

NORTH ADAMS — Cinella, who claimed his 100th girls' coaching

Girls' Basketball

victory last month, has now won 104 games with the girls and had another 96 coaching the Lee High boys. Last night's milestone came easily.

The Wildcats shot out to a 16-4 lead, and the Blue Devils were unable to catch up. Lee led 35-26 at halftime.

Allison Forfa scored 27 points for Lee, which included five three-point field goals. Kelsey Scarpa added 17 points and Sarah Blaisdell 10 points for the Wildcats.

Heather Zoltek led Drury with 12 points.

Lee won the junior varsity game 46-26.

Local cable shows added in S. County

LEE — Community Television for the Southern Berkshires has announced premieres and specials for viewers of Channel 11 on Century Berkshire Cable.

Channel 11 will complete the introduction of selectmen's weekly meetings by presenting a tape of last night's meeting of the Great Barrington Selectmen on Friday at 8 p.m.

A new weekly program, "Italian American Magazine," will begin tonight at 6. The program provides a historical and contemporary view of Italian-Americans.

Lee town clerk announces calendar for annual elections

LEE — Town Clerk Patricia D. Carlino has announced this year's slate of open seats for elected town office and the calendar for elections.

The following positions are open for election this year: moderator, one-year term; selectman, three-year term; two School Committee members, three years; Planning Board, five years; Lee Housing Authority, five years; three Lee Community Development Corp. positions, three years.

Town representative positions are also open. In District 1, three seats are open for three-year terms; District 2, three for three-year terms and one for two years; District 3, three for three years and two for one year; District 4, three for three years; District 5, three for three years and one for one year; and in District 6, three for three years and two for two years.

Anyone interested in running for an elective office may contact the Democratic or Republican party chairman. Independent candidates may obtain nomination papers from the town clerk's office and collect at least 21 signatures of registered Lee voters.

District representative candidates may obtain nomination papers and must collect at least 10 signatures of registered voters in their district. Those papers are due in the clerk's office March 29.

The following deadlines and dates have been set by the clerk:

► Democratic and Republican Party chairmen must notify Selectmen of their polling places by March 26.

► Papers for unenrolled (independent) candidates must be obtained from the town clerk's

office by March 26. They must be certified by the clerk by March 29.

► Dates for the Democratic and Republican caucuses must be announced by April 9.

► Voter registration dates at the town clerk's office are: April 6, 13 and 20 (Tuesdays) from 7 to 9 p.m.; Saturday, April 24, from 9 a.m. to 5 p.m. The last day to register is Tuesday, April 27, from 9 a.m. to 10 p.m.

► Residents interested in appointive offices should write to the Board of Selectmen, P.O. Box 630, Lee.

► The annual town meeting will be May 13 and annual town election May 17.

Also, petitions for the town meeting warrant must specify the article to be acted upon. They must contain at least 10 registered voters' signatures and must be submitted to the Selectmen by March 15.

If the petition is denied by the Selectmen, the article can still be placed on the annual town election ballot if the petition contains at least 344 signatures of registered voters.

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Lee takes another look at town representatives

By Lori Thomson

Selectman John DeVarenes remembers the days before town representatives when all Lee citizens could vote at town meetings. But, he says, sometimes so few people showed up for town meetings that voters would have to be rounded up from the men's club just to form a quorum.

The lack of participation and ensuing difficulties in drumming up a quorum led to the adoption of town representatives who vote for their constituents at town meetings.

But some local residents are now calling for the return to open town meetings at which all eligible citizens could vote, saying that representatives are hindering democracy in Lee.

"I think there's a very strong feeling throughout the town that people want to take their town back," says resident Joseph Castronova.

"Then why didn't they show up?" asked William Noonan at a meeting last Thursday night to discuss the issue. Noonan is the

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Lee reconsiders town rep system

Continued from page 1

chairman of the Lee Town Government Study Committee, which was formed to study the issue. The 10-person board was named after a majority of residents voted to abolish the town-representative system in a non-binding referendum vote last May. But representatives at the annual Town Meeting rejected the change and selectmen decided to appoint the committee.

About 25 people, more than half of whom are representatives, attended last week's meeting. Another one is scheduled for Thursday, Feb. 11, at 7 p.m. in the Lee Senior Center.

Town representatives were established in the 1970s when participation in town meetings was so low that meetings were canceled. The town is now divided into six districts, each with nine representatives who represent the 1,000 residents in each district.

Out of touch

Critics of the current system argue that representatives have lost touch with their constituents and do not always vote according to their constituents' wishes.

Timothy Walters, a Lee resident, says citizens' lack of participation in government has led to low morale and the town-representative system has destroyed the sense of community.

"I have been here 14 years and I have yet to vote on how my taxes are spent," Walters says. "If morale is so bad, you don't close [meetings] off to the oligarchy. Why can't Lee have a democracy?"

Representatives' conflicts of interest are also a problem, says Dorothy and Joseph Castronova. They say that one-third

of the representatives are on other boards or are town employees and should abstain from voting on financial issues from which they could gain.

Not all agreed, however. Selectman John DeVarenes asked how a quorum could be met if a third of the representatives had to disqualify themselves from voting due to conflicts of interest.

"If the wrong 35 people are at a meeting, five people could be making the decisions," he says.

Still, the committee discussed the possibility of tightening rules regarding conflicts of interest.

Other problems with the system, according to Joseph Castronova, are that citizens can ask for redress of a town-representative vote only when that vote is affirmative. If representatives vote against a ballot item and citizens wish to appeal the vote, they can do nothing.

Despite its weaknesses, the current system has solved the problem of attendance at town meetings. An average of 48 of the

Selectman DeVarenes says he sees considerable improvement in how the town government runs compared to its operation before town-representative government was in effect. But he also sees a decline in public participation.

54 town representatives attend annual town meetings and 37 to 40 attend special meetings, according to Town Clerk Patricia D. Carlino.

Joseph Marino of South Lee says he originally opposed the town-representative system, but "If you're getting 38 percent of the reps attending meetings, it's a hell of a lot better than 2 percent of the

general population showing up."

Little interest in politics

Selectman John DeVarenes says he sees considerable improvement in how the town government runs compared to its operation before town-representative government was in effect. But he says he also sees a decline in public participation. Whereas he and other representatives used to receive more than a half-dozen calls before meetings, last year he received no calls. Attendance at district meetings has also dropped.

Most people are too busy with work or

families and are not interested in politics, town Rep. Nelson Daley says.

And young people appear even less interested, Rep. Bonnie Viner notes. She points out that few young people are involved in local government, the youngest being in their 30s.

William Noonan also pointed to the low turnout of last week's well-publicized meeting as indicative of the apathy toward local government. Likewise, representative positions are hard to fill, despite advertising in the media. Carlino says, "We sometimes try to find people just to run."

William L. Simmons

LEE — William L. Simmons, 70, of Fairview Road, Milford, a former resident of Lee, died Sunday at Milford Meadows nursing home.

Born in the Ashley Falls section of Sheffield on Dec. 22, 1922, son of George and Martha Moxon Simmons, he moved to Lee as a child and attended local schools.

A World War II Army veteran, he served in the combat engineer special service regiment in the Pacific. After the war, he moved to Worcester and then to Upton before moving to Milford in 1961.

Mr. Simmons was a retired certified government welder at the Wyman Gordon Corp. in Grafton, where he was employed for more than 35 years. He retired in 1980. He was a member of the United Steel Workers' Union.

He and his wife, the former Anna Mary Goulet, celebrated their 47th wedding anniversary on Sept. 21.

Besides his wife, he leaves six sons, William P. Simmons of Upton, Richard G. and Lester G. Simmons, both of Milford, Robert W. Simmons of East Walpole, Larry J. Simmons of Millville and George E. Simmons of Blackstone; four brothers, Harmon V., James S. and Fredrick L. Simmons, all of Lee, and Norman F. Simmons of New York, and 12 grandchildren.

The funeral will be Thursday at 10:15 from Kelly Funeral Home in Lee, with services at 11 at St. George's Episcopal Church conducted by the Rev. Denis B. Ford, rector. Burial will be in Fairmount Cemetery.

Calling hours will be today from 2 to 4 and 7 to 9 at Buma-Sargeant Funeral Home in Milford, and tomorrow from 2 to 4 and 7 to 9 at Kelly Funeral Home.

Memorial donations may be made to the Visiting Nurse Association of the Greater Milford-Northbridge Area Inc., 1 Emerson St., P.O. Box 8, Mendon, 01756.

Representative vacancy listed in Lee district

LEE — District 1 Representative Chairman Edith Parker has announced a representative vacancy in her district. Any registered voter living in District 1 who is interested in becoming a representative may send a letter of interest to her by Feb. 23 at 323 East Center St., Lee, 01238.

Worth Noting

► LEE: Rev. Walter Ryan of Lee, pastor emeritus of the First Congregational Church, will present a pictorial history of the restoration of the church at today's lunch meeting of the Tri-Town Rotary Club.

The lunch will be held at noon at the Black Swan Inn. The cost is \$8 per person, and the public has been invited.

Ryan has been a leader in the restoration of the church, which is on the National Register of Historic Places.

Commission presents proposal for Lee lands

By Deidre Consolati

The Lee Conservation Commission disclosed their proposal to strengthen the board's protection of conservation land at a hearing held on Feb. 2. The meeting was held at the Memorial Hall courtroom with Marilyn Hansen as chairman.

Hansen stated that the board was responding to requests by representatives for more information on the plan. The representatives' request came during a special Town Meeting in September, when the article was passed over. On Tuesday night, 11 of the town's 60 representatives attended the hearing.

Diane Wespiser, a commission member, gave the presentation. She stated that the board is proposing that any land-use change for seven parcels of conservation land be first approved by a two-thirds vote of the conservation commission. A two-thirds vote by the selectmen, a two-thirds vote by the town representatives and then a two-thirds vote of the state Legislature would follow. The last three steps are already specified by law, Wespiser noted.

She listed the seven parcels: Ferncliff Reservation including Peter's Cave, the Golden Hill Town Forest including The Pinnacle, Edith Wharton Park at Laurel Lake (jointly owned by Lee and Lenox), Abbey Court Park, Foote Pond parcel, Longcope Park, and the Dunn property, a

recent acquisition.

Wespiser and another commission member, Deborah Garry, stressed that the board's mandate and authority over conservation land is already broad as defined by law. The Conservation Commission Act was accepted by the town in 1958 under Chapter 90, Section 80 of the state law, they noted, and in 1972 Article 97 of the Massachusetts Constitution was passed, called the "Environmental Bill of Rights." The warrant article, they said, would "confirm and ratify the protection of Lee's conservation lands" under Article 97. They also noted that no authority is given to use conservation lands for anything but conservation, because such use would violate the intent of the donor.

At the September Town Meeting, representatives expressed fears that power over the land would be diminished because the board is appointed. Wespiser countered by saying that if the board did approve a land-use change, by law that change would have to be approved by the selectmen and representatives and the state Legislature.

Finally, Wespiser stressed that the board's move represents balanced government in action. Last May, she noted, the town established OPLJ, an industrial park in South Lee. The strengthening of the protection of conservation land, she noted, would be a counterbalance to that.

Childbirth classes slated at Lee VNA

LEE — The Lee Visiting Nurse Association has announced two eight-week series of childbirth classes.

The first series of classes will be held on Wednesdays from 7 to 9 p.m. starting Feb. 24, and the second series will begin on Wednesday evenings during the same hours, starting April 28, at the VNA office, Tracy House, 32 Park St.

Sherrie Porter, a registered nurse, will teach the childbirth series. The course will include childbirth preparation, labor and delivery, exercise and nutrition, and a hospital tour.

Upon completion of the course, a short series of parenting classes will be held for participants in the childbirth classes.

The classes are free, funded by a grant from Berkshire United Way High-Risk Mothers and Infants Program.

More information is available from Linda Cormier at the VNA, 243-1212. Registration for the classes is limited to 10 pregnant women and their partners.

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Citizens question behind-the-scenes talks about proposed Wal-Mart in Lee as deal moves along

By Laura Sheridan

With the Pioneer Development Corp. of Syracuse, N.Y., affirming Monday that it has obtained an option to buy property on state Route 102 in South Lee, plans for the development and construction of a proposed Wal-Mart in Lee have seemingly progressed one step further.

Mark Falcone of the Pioneer Development Corp. said yesterday that in addition to his company's hope of constructing a Wal-Mart plaza in Pittsfield, the development company also hopes to build a Wal-Mart and supermarket store in Lee on 20 acres of property now owned by the Salinetti family.

The proposed project, which also calls for the purchase of 10 acres of town land in front of the town's wastewater treatment plant, is according to Falcone still active.

"I'm not even sure you could call it a project yet," he said. "We were only contacted about two weeks ago and there are still a lot of ifs."

Some of those ifs include a zoning change for the site and the use of town-owned land, both of which require a two-

thirds majority vote at a town meeting. Site-plan approval and environmental factors are also considerations of which Falcone is unsure.

Falcone did say, however, that money had changed hands with the Salinetti family and that the company is committed to a plan of development for the project.

Seemingly ready to propel the project further along, representatives from the Pioneer Corp. will be present on Monday, March 1, at 7 p.m. to discuss the matter in more detail at a public hearing.

But for some town residents at Monday's selectmen's meeting, concerns over how long the town knew about Wal-Mart's interest in Lee were too pressing to wait.

One resident asked why no one knew that Wal-Mart was interested in locating in Lee.

"Nothing has ever been made public about this. There have been no correspondences read and absolutely no discussion," said the resident. "How could this just now be coming out?"

Selectman Martin Deely responded to these questions by saying that the town of

Lee had been interested in attracting new business and development to the area for more than a year and that the town instructed the town administrator to publicize that fact throughout the state.

"One of the reasons we hired [Town Administrator] Frank [E. Abbondanzio] was because of his experience in attracting and dealing with development companies," he explained. "We told him to let it be known through the state that Lee was interested in development projects."

Deely said the board was not actually approached by the development corporation with the idea of a Wal-Mart project in Lee until August. He said discussions with the development corporation had to be kept quiet because public discussion would jeopardize the values of properties being considered in the deal.

"If you want to be competitive, you can't go public until the buy-and-sell agreement has been arranged," he said.

Deely said that an executive meeting about the proposal had occurred but that discussion at the meeting focused on the subject of land.

In addition to these comments, Deely said the board has not had any contact with Wal-Mart directly but only with the development corporation.

Falcone said his company was contacted two weeks ago by way of a Boston consulting group which does work for Wal-Mart but he said Wal-Mart had been looking at the area for quite some time.

"Wal-Mart began exploring the area long before they got us involved. It's a typical strategy for a retail business to do," he said. "They brought us in because of the work we are doing in Pittsfield."

Previously it was rumored that Wal-Mart was interested in locating a store in Great Barrington. Speculation on whether the corporation is looking at Lee as an alternative to Great Barrington or the potential site of a fourth Berkshire County outlet still exists.

Some downtown merchants are concerned about the effect of the proposed store on their business. Town officials have indicated, however, that the proposed project could boost job openings by as much as 300 and increase tax revenues.

Conflict of interest questions raised on Oak n' Spruce issue

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Joseph Castronova has questioned Selectman John E. DeVarennes' involvement with discussions about the Oak n' Spruce Resort's tax abatements, saying that DeVarennes appears to have a conflict because he owns a time-share unit there.

At Monday night's Selectmen's meeting, Castronova referred to an executive session the Selectmen had with the Assessors last week to discuss the Oak n' Spruce tax abatements, which have totaled over \$104,000 for two years.

"I strongly believe Mr. DeVarennes is in conflict of interest, because this board appoints the Board of Assessors," said Castronova.

DeVarennes' mere presence in such discussions might influence the Assessors' decisions regarding the resort, he said.

Clearly offended by what he called the "innuendo" of Castronova's remarks, DeVarennes said he has spoken to Town Counsel Jerome J. Scully and has been advised he is not in conflict of interest and will not act as though he is.

'Muddy' situation

Castronova replied that if there's "a potential conflict it's better to step aside so as not to muddy the situation."

Selectman Martin H. Deely, normally affable and mild-mannered, became angered with Castronova.

"I've never known John to do anything not completely honorable and ethical," Deely said.

"That has nothing to do with it," replied Lee resident and representative Charles L. O'Neil.

"John's a terrific man," said Deely. "The innuendo is so far out of line, and I resent it. I'm appalled at the innuendo and the attempt to give this good selectman a hard time."

Castronova said he wasn't suggesting that DeVarennes was engaging in unethical behavior, but that Assessors could be influenced "by his demeanor."

"I don't intend to step aside," said DeVarennes, waving a letter

from the town's lawyer.

He told Castronova that if he isn't satisfied, "Talk to my lawyer. That's the end of of it."

Downtown bylaw

In other business Monday, the Selectmen met with the Planning Board to discuss implementing a new downtown bylaw that would ease the requirements for downtown businesses seeking to expand or change use. The main problem, all parties agree, is the parking requirement for expanded or new businesses.

The two boards agreed to meet again on March 22 to further discuss a proposed new bylaw governing expansion of permitted uses.

The board also voted 2-0 to award a \$71,350 contract to C.T. Male Associates, a Greenfield engineering firm that submitted the lowest bid to perform a three-season water test at the town's three reservoirs.

Federal law requires that all cities and towns without treat-

ment systems comply with treatment laws.

"There's no way our water can escape the evil clutches of the federal requirements," said Deely.

The testing procedure will be paid for with existing funds in the water account, said Public Works Superintendent J. Peter Scolforo.

The board also:

► Granted permission for the Lee Lions Club to hold a fund-raising toll on Main Street on Saturday, May 1.

► Granted permission for the Lee High School band parents to hold a similar toll booth on Saturday, June 5.

► Received a note from Lee Housing Authority member Frank V. McCarthy, who criticized the board's decision not to reappoint town Building Inspector Robert W. Lester when his term expires in June. McCarthy called Lester "knowledgeable, gracious, fair and hardworking."

Lehmann, Pace win downhill

Schmidinger finishes 25th

SHIZUKUISHI, Japan (AP) — Switzerland's Urs Lehmann won the only race that matters in his mountainous homeland, capturing the men's downhill in the World Alpine Ski Championships today ahead of Norway's Atle Skaardal and American AJ Kitt.

World Alpine

Canada's Kate Pace, wearing a cast to protect a broken wrist, and Norway's Astrid Loedemel came from out of the pack to finish 1-2 in the women's downhill, relegating early leader Anja Haas of Austria to third.

[Krista Schmidinger of Lee, Mass., competing in her first World Championship, tied for Barbara Sadleder of Austria for 25th place in 1:29.16. Heidi Voelker of Pittsfield, who was 15th after the first run of yesterday's giant slalom, did not finish the second run. She was also a DNF in the slalom.]

In winning, Lehmann ended Norwegian domination of the men's events in these games and helped Switzerland save face after its leading downhillers finished well back.

A nice U.S. haul

Kitt, of Rochester, N.Y., was third.

For Kitt, the bronze medal added to an impressive American trophy haul. Picabo Street won the downhill portion of the women's combined to grab the silver medal in the overall combined, and Julie Parisien won silver in the women's slalom.

In the women's race, Haas was

ALPINE, continued on C3

Schmidinger 25th in downhill

■ ALPINE, from C1

looking solid for gold after the three-pronged German attack of Regina Haeusl, Miriam Vogt and World Cup downhill leader Katja Seizinger failed to dislodge her. Although Pace had trained well, it just didn't seem possible that a woman with a broken wrist could beat the best racers in the world.

But Pace was superb on the top of the course, putting up an advantage of a half-second in the section of flats. Haas had been wonderful on the turny bottom portion, but Pace was able to use that broken wrist well enough to hold onto the lead by .28 seconds at the end with a time of 1:27.38.

Aamodt of Norway became a double medalist in the World Championships by winning the

men's giant slalom yesterday, and flying Frenchwoman Carole Merle skied to form by winning the women's GS.

Austria's love connection struck silver in each race, with Rainer Salzgeber finishing .87 seconds back of Aamodt and girlfriend Anita Wachter placing .40 behind Merle. It was the second medal of the meet for Wachter, the combined bronze medalist.

Diann Roffe-Steinrotter of Potsdam, N.Y., who at age 17 won the GS gold in the 1985 world championships at Bormio, Italy, tied for ninth in 2:20.23. She was eighth after the opening run.

Parisien, of Auburn, Maine, 11th after the first run, had a wild ride in the afternoon and slipped to 17th in 2:21.66.

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C-3

Lee urged to replace flawed high school roof

By D.R. Bahlman
Berkshire Eagle Staff

LEE — Citing major flaws in the original construction of the Lee High School roof, a Pittsfield architect last night recommended that the task of replacing the roof begin no later than this summer.

William M. Barry said that while the roof is now safe it cannot be expected to remain so for too much longer. He suggested it be replaced with a new "membrane" roof, and that extensive repairs to the roof's underpinnings be made.

After hearing Barry's report, members of the School Building Committee said that the cost of the job could be close to \$1 million, although they stressed that no specific decisions have been made about how the roof's problems will be addressed.

Illustrating his presentation on a chalk board, Barry detailed numerous instances of what he said represented shoddy workmanship in the roof's original construction. The school was built in 1961-62, with the Northampton firm of Aquadro & Cerruti acting as general contractor.

Missing pieces

In some areas, he said, steel webbing between joists designed to evenly distribute the weight of the roof on beams and against walls were missing. "Hundreds" of so-called bar joists are overstressed, some by as much as 50 percent, he said.

"Anchors" intended to support some walls are not present, and in the cafeteria, some joists that should connect with girders miss them entirely, Barry said.

"Some of the stuff was incredible... it was almost comical. There are some construction details that just weren't finished. It really is beyond me what they were thinking," Barry said.

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The presentation detailed numerous major flaws in the construction.

Repairs have been made in areas where the problems were considered "life-threatening," the architect said. He emphasized that building codes allow substantial "safety margins," and that the roof is now within them.

Nonetheless, he said, the roof must be brought up to the strict letter of the code as soon as possible.

Negotiations under way

Selectman John E. DeVarennes, who was present at last night's meeting, said that negotiations are under way between representatives of Aquadro & Cerruti and town officials, including DeVarennes, Superintendent of Schools Henry T. Zukowski and Town Counsel Jerome J. Scully.

DeVarennes said that all parties have agreed not to discuss the negotiations publicly.

School Committee member Carol E. LeProvost said that she was shocked and angered when she first learned of Barry's findings. However, she said that

ROOF, continued on B12

Major flaws found in Lee school roof

■ ROOF, from B1

she is confident that a majority of townspeople would be willing to invest tax dollars in making the roof safe over the long term.

"Lee will come through as it always has," she said.

Emergency costs

The estimated cost of the emergency repairs to the roof is \$179,250, but could reach \$200,000, Zukowski has said.

A complete copy of the engineers' report concerning the roof will be available for public inspection in the superintendent's office sometime after Feb. 22, following Scully's review of the 200-page document, Zukowski said last night.

A music teacher's discovery of a fallen ceiling tile on the floor of the music room began a chain of events that led to the closing of the school Dec. 18. After state and local building inspectors consented, the school reopened early last month.

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elections

Potential contenders ponder running for office

Spring may still seem a long way off but the political wheels are already being set in motion for the May town meetings and elections in Lee and Lenox.

In Lenox, where two selectmen's seats are up for election, the first potential challenger to emerge is former selectman George L. Darey, who took out nomination papers from the town clerk last week.

Darey said he is "disappointed" at the recent performance of the selectmen and said he has been approached by a number of people who have urged him to run again. He emphasized that he has not made up his mind yet. "Yes, I'm thinking of it," said Darey. "But my decision will depend on who else decides to run. There is a tremendous pool of talented people in Lenox who could do an excellent job on the board. If one of them chooses to run, I'll happily step aside."

Darey believes that the present board of selectmen lacks strong leadership and has taken too-passive a role in the restructured town government. He criticized the present board's "wishy-washy" handling of the school-building issue as an example of the problem.

"The town is facing several very crucial issues and I'm not completely happy with the way things are going now," said Darey, who chose not to run for reelection last May after 15 years on the board. "Their role may have changed under the new structure but the selectmen are still an important cog. Its members should be involved and informed in the issues and show strong leadership. But I don't see that happening."

Susan B. McNinch, who was elected last year when the board was expanded from three members to five, said she has decided to run for re-election.

"I was weighing it, because my family also has a business to run and it gets a little difficult sometimes," said McNinch, who with her husband operates Eastover Resort. "But I do enjoy it and decided that I'd like to see it through for another three-year term."

Incumbent John Pignatelli's seat is also up for re-election. The longtime selectmen has already publicly stated his intention of retiring from the board. He recently told *The Berkshire Eagle* that there is only a very small chance he might change his mind and run again. He is presently in Florida and unavailable for comment.

Lee seats

Meanwhile, in Lee, only one seat on that town's three-member board of selectmen is up for election this year, the three-year slot held by Diane P. Roosa.

Roosa said this week that she intends to run for another term. "I've been there for six years now and I'd like to keep things going," she said.

So far, two candidates have announced plans to challenge her in that position, Louis Failla and School Committee Chairman Carol LeProvost.

LeProvost said she had been considering running for the selectmen for a while and was prompted to do so by several recent actions by the board, including their decision to hold some meetings in the mornings.

"I feel the present selectmen are not lis-

tening to the people," said LeProvost, who is one of a number of citizens who are critical of the board of selectmen and have been attending their meetings over the past year. "I decided I can either be like everyone else and complain about things or I can try to do something about them. I promised my family I'd either get in and run, or get out and stop going to the meetings if I lose."

Failla said he is not among the strong critics of the selectmen. "I think they basically do a good job but not enough questions are being asked before major decisions are made, and somehow we've developed a flat wheel here," said Failla, who is a member of the zoning board of appeals and has served on the planning board and as a town representative.

"I have a service to offer," said Failla, who has run for the board in the past. "I am very familiar with how the town government system works and I think can help them do a better job."

Other elections

In addition to Roosa's seat, other Lee offices open for election this year include: moderator, one year; two three-year seats on the school committee; one five-year seat on the planning board; one five-year seat on the housing authority and three three-year seats on the Lee Community Development Committee.

Many positions for town representatives are also opening up in all districts. So far, Art Artig has taken out papers for District 1 and William O'Brien for District 3.

The dates of the Lee Democratic and Republican caucuses are to be announced.

For candidates not enrolled in either of these parties, the last day to obtain nomination papers from the town clerk is March 26 and the last day to submit them is March 29. Deadline for submitting warrant items for the Town Meeting and petitions for the Town Election is March 15.

In Lenox, the Town Meeting is scheduled for May 7 at 7 p.m. in Lenox Memorial High School and the Town Election for May 10 from 8 a.m. to 7 p.m. in Town Hall. In Lee, the annual Town Meeting is scheduled for May 13 and the Town Election is May 17.

In addition to the selectmen's seats, other offices open for election in Lenox include: the one-year term of town moderator now held by Leo Mahoney, the three-year seat of Marie Feder on the board of health, the three-year assessor position of Robert Plageman (who has taken out nomination papers), two three-year school committee positions held by Cheryl Montague and Jan Wiener and one unexpired two-year term of Sandra Herliczek. Also, two three-year commissioners of trust funds to fill the slots of Richard Billetter and the unexpired term of the late William Clifford and two five-year seats on the Planning Board held by Lois Lenehan and Mary Newton.

For those interested in any of these Lenox positions, the deadline for filing party nomination papers is March 18 for Republicans, March 19 for Democrats and March 22 for unenrolled candidates. The Republican caucus is March 29 at 7 p.m. in Town Hall and the Democratic caucus is March 30 at 7 p.m. in Town Hall.

Hyde family history bridges Lee, Williams

By Lauren R. Stevens

The Hyde family of Lee and Williams College presents a tale of two towns, uniting Berkshire County north and south. The Hyde family has been conspicuous in its dedication to religion, education, mission, a cold remedy -- and Berkshire.

Alvan Hyde, first minister in Lee, was called to the town from Dartmouth College in 1792, when he built the parsonage on West Park Street that now serves as an antiques store. He became trustee and then vice president of Williams College, 35 miles north in Williamstown; for six generations since, with only one in the sequence omitted, his descendants have attended the school.

Alvan's direct descendant, John M. Hyde, graduated from Williams in 1952, received a master's degree from University of Minnesota and a doctorate from Harvard. He has taught at Williams since 1959. He served as dean, as chairman of 15 administrative committees and currently serves as secretary to the search committee seeking a president to succeed Francis C. Oakley, who will step down at the end of this, Williams' bicentennial year.

Although Hyde's major professional interests are modern European and Canadian history, he hopes upon retirement two years hence to gather more information on the ancestors whose Lee home he remembers visiting. He points out that his family shares a heritage of holding the county together -- with the interurban-trolley system of 100 years ago that made it convenient and inexpensive for people from Lee to shop in Pittsfield, take recreation at Pontoosuc Park or venture to Sand Springs in Williamstown to "take the waters."

Great, great-great grandfather Alvan
The "venerable" Alvan Hyde, as the grim-faced cleric is described, built the Hyde home and also presided over the first rebuilding of Lee's First Congregational Church after a fire. (The church was to burn and be rebuilt again.)

Although Williams College was founded by a soldier's will rather than by a Protestant denomination, most of its early teachers and officers were clergy; in fact many of its students intended to train for the ministry. Therefore it was not surprising that the new college turned to a Congregational minister.

Hyde's place in Williams' history is assured. When President Zephaniah Swift Moore announced in 1821 the demoralizing news that he was going to the Connecticut

cut River valley to convert Amherst Academy into a college, Hyde rallied the seniors, persuading them to hold commencement anyway and assisting in establishing the first alumni association in the United States to save the school.

Four years later, when Amherst College actually opened, cutting into Williams' enrollment, Hyde and David Dudley Field again rallied the troops, partly through religious conversion of the students and partly through the expedient of sending their four sons, each, to the institution. Alvan Hyde died in harness in 1833.

Of Alvan's nine children, William served on the college's board, Joseph had a distinguished career but Alvan died young.

The Hyde Park family boarding school

The youngest, Alexander, class of 1834, turned the parsonage into Hyde Park School (1837-1860), a precursor of progressive education, in which the students put their hands to work in "scientific farming." This preparatory school, many of whose graduates went on to Williams, served native Hawaiians and American Indians as well as the local gentry, in what became a family tradition of reaching out to others. A Cherokee lies buried in the Hyde section of the Lee cemetery. Alexander served on the board of Hampton (Va.) Institute, a predominantly black college.

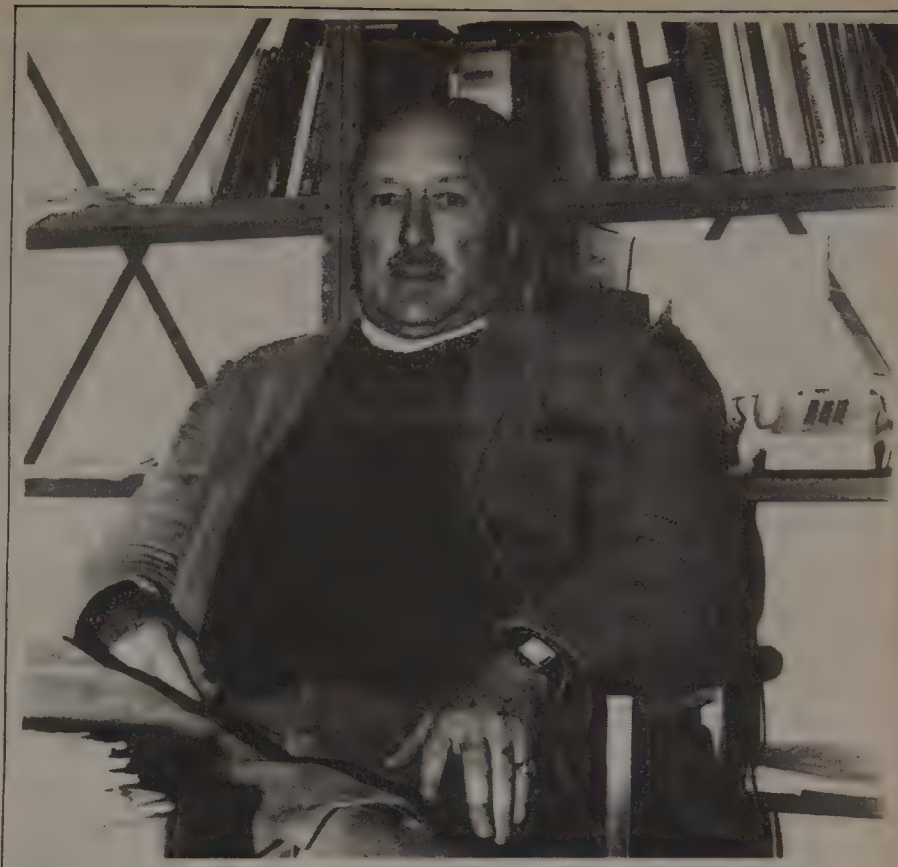
Alexander married Cornelia Hull from Sandisfield, a family that had included a lieutenant governor of the state and its longest-serving postmaster. So this southeastern county town became, with Williamstown to the northwest and Lee to the southwest, the third leg of the Hyde family's Berkshire stool.

Alexander served on Lee's school board. He founded the precursor to the Berkshire County Historical Society. A desk and bell from his school reside in the present BCHS. The original public school in Lee was named the Hyde School. He started *The Valley Gleaner*, a weekly paper, and was elected a state representative, dying in Boston in 1881.

Apparently he did not make money in his endeavors. His three sons joined the rush west, to Kansas, without the benefit of a Williams education. Aside from finances, his six daughters were ineligible at a school that did not admit women until 1970.

Patent medicine

Son Albert Alexander Hyde became a banker in a wide-open Kansas, often sleeping over the bank with a revolver by his side to protect the deposits. He was on the first Kansas school board. He developed a



John M. Hyde

patent medicine for cold relief. The Mentholatum Co., which remained in the family until eight years ago, began in Kansas, moved to Buffalo and thought of moving to Delaware. The products now offer relief from colds, aching muscles and other ailments.

A.A. Hyde visited Lee, where his widowed sister kept the house, several times, including just before his death. The Hydes presented Ferncliff to the town as a park. Upon his death the older sister, who had no children, polled her nephews to see who might be interested in the old house. A.A.'s son, one of the third crop of nine children in the line, George Alvan, agreed.

After graduating from Williams in 1916 -- his brother Paul was a 1914 graduate -- George was wounded in World War I. He worked with his father in Kansas, although the main Mentholatum plant had already moved. The house was used as a second home, various relatives swirling in and out. He died in 1944, at which point his widow and five children moved to Delaware.

The Hyde legacy

John Hyde, the Brown Professor of History at Williams, is one of those five. He is presently on the board of Berkshire County Historical Society. Arthur worked for the Mentholatum Co. after a career in Africa. George is a pediatric surgeon serving in Kenya and Zimbabwe. Elizabeth Eaton and Steven live in Delaware.

The family has supported the Lee church, contributing to the drive to save its steeple: "The tallest wooden structure in New England." John Hyde, who serves on the vestry at St. John's Episcopal Church in Williamstown, has several times preached there.

In addition to education and religion, the family has always been interested in sports. A.A. Hyde brought old-style basketball to Lee and founded the first baseball team in Leavenworth, Kan., the Pioneer Club. At the Snowhole, along the Taconic Crest Trail northwest of Williamstown, two Hyde hikers carved their initials in the rock 100 years ago: "S.L. Hyde '94" and "C.E. Hyde '94."

Steve Hyde is a coach and teacher at the Tower Hill School in Delaware. His younger daughter, Katie, currently attends Williams and a son, a star of the defensive backfield on the football team, graduated in 1991. Senior Alix Hyde, Steve's older daughter, is an All-American field hockey player at Williams.

The family lent the home to the Pittsfield YMCA in 1963 for a Lee branch. When the Y no longer had a use for it, the family sold Hyde Park to Aardenburg Antiques. John Hyde comments that the house is in better shape now than he can ever remember.

He checks on it when he visits his dentist in Lee. Unfortunately, he has to drive rather than take the trolley.

Berkshire Eagle 2/11/93 Lee Democrats seek candidates for elective office

LEE -- Democratic Committee chairman Edward M. Briggs has announced that the committee will hold a meeting on Friday, Feb. 26, at 7 p.m. at the Airolodi Building on Railroad St. to accept letters of interest from registered Democrats for elective offices for the May 17 annual town election.

Letters may be submitted by mail to Edward M. Briggs, Fairview St., Lee 01238, or in person that evening.

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Berkshire Courier
2/11/93

Courier Capsules

Compiled by BERNARD DREW

Wal-Mart Options Lee Land

LEE -- Pioneer Development, an affiliate of the Arkansas-based Wal-Mart chain, has taken an option on 20 acres of land on Route 102 here from the Salinetti family.

The company is building a new Wal-Mart in North Adams and has plans for a Pittsfield site. The Courier had reported that the company was interested several months ago in a site on Stockbridge Road in Great Barrington before taking out this option.

The Lee project requires an additional 10 acres of town-owned land. Wal-Mart representatives are expected to discuss their plans at a meeting in Lee. That session has been scheduled for March 1 at 7:30 p.m. at Lee Center School.

Lee chamber president questions town officials' silence on Wal-Mart

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — In this town of fertile grapevines, some residents and government gadflies are wondering just how and why the Wal-Mart proposal was kept quiet for some six months.

And the Lee Chamber of Commerce president said yesterday she's annoyed that the town's business organization was excluded from early discussions.

"We've had very little communication about this and the golf course project," said Mary K. Bradbury, chamber president. "In a town of any size, everyone has to work together. ... Here's a thing that impacts the business community, and they aren't informing us or involving us."

Bradbury said that a chamber dinner meeting will be held tonight at 6 at the Black Swan Inn and that a good turnout is expected largely because of the Wal-Mart issue. State Sen. Jane M. Swift, R-North Adams, is expected to attend, Bradbury said.

Position statement

"I think after that there will be a position statement released, and I don't think it's going to be, 'We want Wal-Mart,'" said Bradbury.

At Monday night's Selectmen's meeting, Lee resident and representative Charles L. O'Neil asked the board for details of the early discussions between town officials and Wal-Mart representatives.

Another question raised cen-

tered on why, if several town boards met to talk about the matter, the public was never informed of the discussions.

"Nobody knew what was going on," said O'Neil, a regular at Monday night meetings who keeps himself informed about town affairs.

Town Administrator Frank E. Abbondanzio said that if town officials meant to keep the Wal-Mart issue quiet for six months, "I think we were successful in doing that."

He said there was one executive session with members of several town boards in which the subject of selling 10 acres of town property to Wal-Mart's developer was discussed.

Legal sessions

Real estate matters are routinely — and legally — discussed in executive session because publicity about such transactions can jeopardize negotiations or drive up land prices, said Abbondanzio. He said town officials felt it was premature to disclose the Wal-Mart talks. Now, he said, they are eager to have input from all local organizations, including the chamber.

"There was no slight intended to anyone who was or wasn't included," he said.

It was Abbondanzio who announced Wal-Mart's interest in Lee at last week's Selectmen's meeting. He did so at that time, he said, because word was getting around.

WAL-MART, continued on B12

Many Toys Donated In Holiday Drive

LEE — Century Berkshire Cable subscribers have donated more than 250 toys to South County children.

Philip Hopkins, general manager of the system that serves Lee, Lenox, Stockbridge, and Great Barrington, said the toys were distributed through Community Services in Great Barrington and the Lee Police Department's annual Laliberte Fund. Both the police and Community Services had increases in requests for help during the past holiday season, Mr. Hopkins noted.

Century Cable had offered free installations and upgrades to subscribers in return for a new, unwrapped toy.

Mr. Hopkins thanked the residents who helped and E! Entertainment Television for its contributions.

Berkshire Eagle 2/11/93 B-12

Lee residents question silence on Wal-Mart effort

WAL-MART, from B1

Wal-Mart's developer is considering building a Wal-Mart store and an adjacent supermarket on Route 102 in South Lee. The developer, Pioneer Development Corp. of Syracuse, N.Y., has an option to purchase a 20-acre tract owned by the Salinetti family and would also need to buy an adjacent 10-acre town-owned parcel.

Two other Wal-Mart stores are in various stages of development in the county: One is being built in North Adams, and another is in the planning process in Pittsfield near the Lanesboro line.

Development efforts

Selectman Martin H. Deely said Monday night that, when Abbondanzio was hired last year, he initiated various efforts to attract development to Lee. At the time, Westfield River Paper Co.'s Mountain Mill was shut down and E.C.H. Will Manufacturing Co. announced plans to close by the end of 1992.

The Lee Community Development Corp. got involved as well "and made it known to the state that Lee is interested in talking to people," Deely said.

Pioneer Development got in touch with Abbondanzio in August, Deely said. The first contact involved discussions about property that has been set aside for an industrial park, but town officials didn't want to give up that land, which has been rezoned for industrial development, he said.

Although town officials are taking a wait-and-see attitude toward Wal-Mart, which critics say has a reputation for undermining small family-owned businesses with its low prices, some vocal opposition is mounting. Residents and business owners say they want "real jobs" and industry, not minimum-wage positions and more consumer goods.

Various concerns

On Monday night, August Passetto, a Lee resident whose daughters own a business on Main Street, read a statement warning South Lee residents of noise, traffic and obtrusive lighting that Wal-Mart might cause in their neighborhood.

"Think two times and then a third time before you allow such dumping to take place in Lee," he said.

He added that there's no guarantee that local contractors will be hired to build the Wal-Mart plaza.

He urged the Selectmen and Abbondanzio to promote the planned industrial park as quickly and aggressively as possible.

Arthur Artig of Devon Road urged the board to make sure to sink some resources into improving Main Street if Wal-Mart moves in.

Joseph Castronova asked the Selectmen to consider placing a non-binding question on the annual town election ballot to gauge public opinion about Wal-Mart, but Deely was only lukewarm to that idea.

Wal-Mart meeting date is changed

LEE — The Selectmen said this week that the Pioneer Development Co. has rescheduled its presentation of the Wal-Mart project for Monday, March 1.

The Syracuse, N.Y., company had been scheduled to come to Lee on Feb. 22 to discuss development plans for the shopping plaza proposed for Route 102 in South Lee. But the presentation was put off for one week because of a scheduling conflict.

The hearing will be held at 7:30 p.m. at the Lee Central School.

Lee school senior wins vocational award

LEE — Patrick P. Stearns, son of Kerry P. and Dorothy Stearns of Giles Road, Otis, has been designated an All-American vocational student at Lee High School by Servistar Corp. in the first year of a national award program.

Stearns, a senior in the school's vocational house-building program, is eligible to compete for the \$500 state award and, if he should win that, one of 10 national awards worth \$1,000 apiece.

In the meantime, he will receive a \$100 gift certificate from Lee Hardware, local sponsor of the award program, and in June will receive a citation at his high school's pre-graduation awards ceremony.

Servistar, based in Butler, Pa., is a hardware wholesaling company.

Rep. Hodgkins: Win One, Lose One at State House

By BERNARD DREW
Staff Reporter

Christopher J. Hodgkins is one-for-one in proposing amendments to the education reform bill recently adopted in the House of Representatives.

The Lee representative said he sponsored an amendment, adopted by unanimous vote, that would ban the use of tobacco products on public school property.

Mr. Hodgkins said some \$110 million of the \$270 million expected in increased revenues from a higher tax on cigarettes will go toward educational efforts in the schools.

"It would be hypocritical," the representative said, "to still allow smoking in the schools."

The ban would go into effect as soon as Gov. William Weld signs the bill into law. That depends, however, on how soon the Senate approves its version and a compromise is drafted.

A second amendment he sponsored failed dismally, 149-4. It would have revoked all current school principal appointments.

Mr. Hodgkins said he knew the measure was not a popular one, but didn't withdraw it out of principle. He said that education reform gives school principals "awesome power to hire and fire teachers and staff.

Superintendents and school committees no longer would do it. I felt that with this new responsibility, schools should have an opportunity to review all those who are in charge of the schools."

He said that he believes that a school's spirit is directly related to its management and this would be opportunity to get rid of "Mr. or Mrs. Stale."

Mr. Hodgkins said that he did not vote on the major reform package as he was attending a key task force meeting with Martin Marietta in Pittsfield the day it came to a vote. Martin Marietta is taking over General Electric's ordnance operations and 2,000 jobs are at stake, he said.

He did support the education bill, he said, and was sure it would pass.

Review of Proposals

The representative said he has filed a number of bills for the coming session, including one that would permit employees of certain companies to collect both negotiated severance pay and unemployment benefits.

He said it would help workers at E.C.H. Will which closed recently in Lee. The workers received \$550 in severance pay from the company for each year of employment. But because of a new law, they cannot

collect unemployment. Mr. Hodgkins said this is inequitable as the severance pay replaces any pensions the workers may have been entitled to.

He has also filed, in conjunction with Mass. Public Interest Research Group and 50 other legislators, a reform measure for automobile insurance.

He has filed one bill that would freeze Blue Cross/Blue Shield rates at current levels to allow the Legislature to work out a long-range plan to curb rising insurance cost and another which would construct a new jail in Berkshire County. This construction would both solve safety and crowding problems at the present House of Correction in Pittsfield and provide new construction jobs, he said.

He has filed legislation which would make it illegal for an out-of-state resident to more easily purchase a firearm than a state resident. This grows out of the December shootings at the Simon's Rock College campus in Great Barrington in which two died and four were wounded.

And he has filed river protection and pesticide reform measures; tax credits for business investment, job creation and employee training; and controls for decommissioning nuclear power plants.

AGNES C. WELLINGTON

LEE — Mrs. Agnes C. Wellington, 80, of Hyde Place, formerly of Willow Street in South Lee, died Feb. 5 at Berkshire Medical Center.

She was born in Stockbridge on Nov. 21, 1912, and was the daughter of Graham and Paula (Baldauf) Stafford.

She attended local schools.

After her marriage to Alden D. Wellington on Feb. 2, 1930, they moved to Great Barrington and then to South Lee in 1940. In the 1950s, Mrs. Wellington started the successful campaign to extend Lee's water lines to South Lee. Mr. Wellington died June 9, 1977.

Mrs. Wellington had made her home at Hyde Place since 1985, where she had held various positions in the Tenants' Association.

She was a member of the Church of the Good Shepherd and was active in its various affairs. She was also a member of the American Red Cross and had served as vice president of the South Lee Civic Association.

She leaves a son, Stephen D. Wellington of South Lee; a daughter, Barbara A. Poll of Greenville, N.Y.; two brothers, Robert G. Stafford of Pittsfield and John P. Stafford of Louisville, Ky.; a sister, Mabel Griffin of East Lee; six grandchildren and eight great-grandchildren.

The funeral was Feb. 8 from Kelly Funeral Home in Lee with a service at the Church of the Good Shepherd by the Rev. Denis B. Ford, vicar. Burial will be in Fairmount Cemetery in Lee.

Memorial donations may be made to the Church of the Good Shepherd in care of the funeral home.

WILLIAM L. SIMMONS

LEE — William L. Simmons, 70, of Fairview Road, Milford, a former resident of Lee, died Feb. 7, at Milford Meadows nursing home.

Born in the Ashley Falls section of Sheffield on Dec. 22, 1922, he was the son of George and Martha (Moxon) Simmons.

He moved to Lee as a child and attended local schools.

A World War II Army veteran, he served in the combat engineer special service regiment in the Pacific. After the war, he moved to Worcester and then to Upton before moving to Milford in 1961.

Mr. Simmons was a retired certified government welder at the Wyman Gordon Corp. in Grafton, where he was employed for more than 35 years. He retired in 1980. He was a member of the United Steel Workers' Union.

He and his wife, the former Anna Mary Goulet, celebrated their 47th anniversary on Sept. 21.

Besides his wife, he leaves six sons, William P. Simmons of Upton, Richard G. and Lester G. Simmons, both of Milford, Robert W. Simmons of East Walpole, Larry J. Simmons of Millville and George E. Simmons of Blackstone; four brothers, Harmon V., James S. and Frederick L. Simmons, all of Lee, and Norman F. Simmons of New York, and 12 grandchildren.

The funeral was Feb. 11 from Kelly Funeral Home in Lee, with services at St. George's Episcopal Church conducted by the Rev. Denis B. Ford, rector. Burial was in Fairmount Cemetery.

Memorial donations may be made to the Visiting Nurse Association of the Greater Milford-Northbridge Area Inc., 1 Emerson St., P.O. Box 8, Mendon, 01756.

Ann P. Leydet

LEE — Mrs. Ann P. Leydet, 65, formerly of Brown Memorial Court, died Tuesday at Edgcombe Nursing Home in Lenox.

She was born in Lenox on Nov. 7, 1927, daughter of William and Faye Bristol Gaherty, and was a 1946 graduate of Lee High School. She had lived in the Lee and Lenox area her entire life.

Mrs. Leydet had been employed as a nurse's aide by Edgcombe for many years.

She was an avid bowler.

She leaves two daughters, Mrs. Faye E. Mange of Lenox and Mrs. Diane L. Milner of Kentwood, La.; a brother, Thomas Gaherty of Lenox; two sisters, Mrs. Carol J. Akroyd of Pittsfield and Mrs. Shirley M. Cariety of the state of Florida, and four grandchildren.

The funeral will be conducted today at 10 at Kelly Funeral Home. Burial will be in St. Mary's Cemetery.

In lieu of flowers, memorial donations may be made to the American Cancer Society in care of the funeral home.

Century Berkshire plans cable rate hikes

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Century Berkshire Cable, which provides cable television service to four South County towns, has announced that monthly subscriber rates for most customers will increase by a maximum of \$1 per month beginning April 1. But a relative handful of subscribers to the stripped-down "basic" cable service will see lower monthly rates.

Philip Hopkins, manager of the Lee-based cable company, said yesterday that he views the rate increases as fair since the company is not passing on to customers all its increased costs of providing service. The system serves Lee, Lenox, Great Barrington and Stockbridge.

Most of the company's 7,000 customers, who purchase "gold tier" service, will see a 43 percent increase — or \$1 — in their monthly bills.

The gold tier service, which offers 43 channels and is purchased by about 6,500 customers, will rise from \$22.95 to \$23.95 per month starting April 1.

About 300 customers with "silver tier" service will see the largest increase — 10 percent, or \$2 per month. But customers with "basic" service (18 channels, including three home shopping channels) will pay \$1 less per

month, according to the new schedule.

While the 4 percent increase appears modest compared to last year, when a 9.5 percent increase was announced for most customers, the cost of the company's cable television service has more than doubled since 1988.

At that time, gold tier service — the level of service with the maximum number of channels (excluding premium channels like HBO) — was just \$11 per month.

Hopkins said that customers who subscribe to basic cable service will receive a monthly decrease of \$1, so their April bills will reflect a charge of \$15.95. They now pay \$16.95. In addition, the basic service will include two new channels, WWOR and WPIX of New York, which were previously available only to silver and gold tier customers.

Additional C-SPAN

The cost of silver tier service, which has 19 channels, will rise from \$19.95 to \$21.95, and a channel will be added, said Hopkins.

That channel is C-SPAN 2, which provides coverage of federal government proceedings and other public affairs events.

Hopkins announced the rate increases Monday night at a meeting of the Four-Town Cable Advisory Committee.

Castronova Lobbying Hard for Lee Position

By Mark K. McCulloch

LEE—Outspoken open government critic Joseph Castronova is showing all the signs of an experienced politician in his lobbying efforts to be named to the vacant representative seat in District 1. Castronova has been lobbying representatives in District 1 to point him to a vacant seat on an interim basis and then seek election in May. District 1 Chairperson Edith Parker said she has been approached by Castronova but is unsure how to respond.

She said this is the first time this has happened in her 12 years as a representative.

Castronova is also leading a petition drive to eliminate the representative town meeting and hopes he can be elected to a representative seat "to vote it out."

He has charged that town representative government inhibits broad-range public involvement in government. His petition will be voted on at the annual town meeting where it is a warrant item.

Another outspoken critic, Arthur Artig, has also joined the fight to abolish the representative form of government. He has taken out nomination papers for a seat in District 4. Three terms in that district run out in May.

Artig said many of the nine representatives in his district do not attend town meetings and he has never had a visit from any of them to hear his complaints or comments.

Officials have maintained that interest in public government is waning and it was that lack of interest that forced the town to adopt the representative form of government in the early 1970s. Attendance at meetings was so low, officials claim, meetings were being canceled.

The town was divided into six districts with about 1,000 residents in each. Each district has nine representative seats and any voter in the district is eligible to run for any of the nine seats.

Last week, only about 25 town residents attended a public hear-

ing on the question of representative town government, and half of those present were representatives.

Supporters of the current system charged that if so many people want open meeting, where each registered voter gets a chance to vote, why were there so few at the hearing. Opponents charge that the representatives and their constituents have lost touch with each

other and alienated those who want to participate.

Last week, Timothy Walters said the current system robbed him of his right to vote and said the main question for everyone to answer is whether or not Lee is a democracy.

A second hearing for those in Districts 4, 5 and 6, and for those unable to attend last week's meeting was held last night. (Feb. 11)

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Berkshire Record, Friday

Roof Flaws Documented

Continued from A1

sion and those in the audience sat quietly stunned as Barry explained in frightening detail the problems with the existing roof and what happened when the roof sank about two inches in January.

Barry said the cause of the roof sinking was that there was "basically no support" for the large mainframe beams which run along the roof.

He said the building should be brought up to current load, or weight allowance, standards and said the project should begin this summer.

"Personally I wouldn't feel safe as a parent and professionally I think there should be no delay in any of this construction," he said.

Barry stressed the need to carefully examine the area over the cafeteria and cited the "deflections" which exist from lack of support.

He said the net result of these deflections was to create a pond affect where water collects above the ceiling and adds extra weight to already over-stressed joints.

"It really is beyond me what in the world they were thinking here. What they did do was to come back in and put in a large knee brace and made the connection," Barry said.

He said he inspected those braces and said they were "marginal" but were within reason and the beams are not as over-stressed as the bar joists.

Barry made several recommendations based upon his findings among them to put a new membrane roof on the building at a cost of an estimated \$300,000-400,000.

Engineer Says Roofing Flaws Were 'Comical'

By Mark K. McCulloch

LEE—Structural engineer William M. Barry said the only thing which kept the high school roof from caving in was the gypsum roof deck put over the original roof about ten years ago.

In a detailed report to the Lee School Building Commission Wednesday night, Barry detailed several structural flaws he said were mistakes made during the original construction 31 years ago. He characterized much of what he found as "comical."

"The repairs we did were only those which we deemed to be life threatening," Barry said. "The repairs we made are actually stronger than the original structures." The members of the Commis-

Continued on A12

Berkshire Record 2/12/93 P.1

Opposition Grows To Wal-Mart Plan; Lee Foes Confident

By Mark K. McCulloch

LEE—Main Street in Lee's downtown is not unlike Main Street in Viroqua, Wisconsin. There are local stores that have been in place for years and the town has survived economically through a very tough recession. Everyone in town knows one another and tries to help out when they can.

So why mention Viroqua and why should somebody in Lee care about a small town in Wisconsin? Because Viroqua businesses have survived the Wal-Mart invasion they experienced in the mid-1980s.

And Lee can survive, but only by acting early to protect their businesses, said Dr. Arnold DeLuca, a Wal-Mart expert who speaks at seminars on business promotion and advertising in the age of Wal-Mart.

And while local businesses expressed fear and anger over the proposed plan to build a Wal-Mart plaza with its accompanying supermarket on Route 102 and vowed to fight Wal-Mart's proposed location in Lee, DeLuca said trying to stop Wal-Mart locating in Lee is "a waste of time and energy."

"They're not going to go away and the worst thing they (local merchants) could do is to do nothing," he said. The key to surviving, he said, is to organize early and get a plan together to compete as best as possible with Wal-Mart.

And that's just what Viroqua businesses did when Wal-Mart came to town. The merchants did

a little snooping on their own at the area Wal-Mart and found they could compete because they still offered many things the megastore didn't, although Wal-Mart had the lower prices.

The trick, analysts say, is to focus on customer service, offer complimentary items and services and begin to alter the way merchants usually do business.

So Viroqua merchants began streamlining their inventories and getting rid of items which Wal-Mart carried at dramatically reduced prices. This is not any different than what John Elling, owner of Elling Hardware, said he would have to do "just to survive."

With a little help from an obscure state agency, a lot of planning and a little sacrifice by the local merchants, Viroqua began to hang on economically and to move forward even though Wal-Mart was sucking up the cash.

Analysts say the same thing can happen in Lee "if the merchants act early and don't wait for an economic development or someone's mother to do something," DeLuca said.

And Lee has another advantage. The residents of Lee have more leverage than most towns because the proposed Wal-Mart requires a zoning change and the sale of a town-owned plot of land, with both measures requiring a two-thirds affirmative vote at the annual Town Meeting.

But trying to block Wal-Mart from Lee is futile, according to

Continued on A10

Wal-Mart Specialist Warns Lee Must Act Quickly If Town Wants to Save Businesses

By Mark K. McCulloch

LEE— Main Street in Lee's downtown is not unlike Main Street in Viroqua, Wisconsin. There are local stores that have been in place for years and the town has survived economically through a very tough recession. Everyone in town knows one another and tries to help out when they can.

So why mention Viroqua and why should somebody in Lee care about a small town in Wisconsin? Because Viroqua businesses have survived the Wal-Mart invasion they experienced in the mid-1980s.

And Lee can survive, but only by acting early to protect their businesses, said Dr. Arnold DeLuca, a Wal-Mart expert who speaks at seminars on business promotion and advertising in the age of Wal-Mart.

And while local businesses expressed fear and anger over the proposed plan to build a Wal-Mart plaza with its accompanying supermarket on Route 102 and vowed to fight Wal-Mart's proposed location in Lee, DeLuca said trying to stop Wal-Mart locating in Lee is "a waste of time and energy."

"They're not going to go away and the worst thing they (local merchants) could do is to do nothing," he said. The key to surviving, he said, is to organize early and get a plan together to compete as best as possible with Wal-Mart.

And that's just what Viroqua businesses did when Wal-Mart came to town. The merchants did a little snooping on their own at

the area Wal-Mart and found they could compete because they still offered many things the megastore didn't, although Wal-Mart had the lower prices.

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Another Advantage

And Lee has another advantage. The residents of Lee have more leverage than most towns because the proposed Wal-Mart requires a zoning change and the sale of a town-owned plot of land, with both measures requiring a two-thirds affirmative vote at the annual Town Meeting.

But trying to block Wal-Mart from Lee is futile, according to DeLuca. He said Wal-Mart will not change its operations just be-

cause of the complaints and concerns of the Town of Lee.

"Whatever you ask him, whatever you tell him, the guy is just going to say don't worry," DeLuca said, when asked what the merchants should ask the representative of Pioneer Development Corporation when he comes to Lee March 1.

"They're going to build the store. They're going to tell you that they will bring employment into the area, but it's minimum wage. They're going to tell you that people will save millions of dollars," he said.

Neighboring Town

DeLuca warned that even if the town residents fight Wal-Mart, the company will just put up the store in a neighboring town or area and Lee won't get any of the sales tax revenues.

"What I'm really saying is to focus the merchants on surviving rather than chasing goose feathers."

DeLuca warns merchants to take steps now to help soften the blow of a Wal-Mart in their area. He said the better prepared merchants are to compete when Wal-Mart comes to town, the more likely the town's Main Street can survive.

"Number One, if you want to know how many Wal-Marts are going to be in your area— and there will be more than one— just find out where the distribution center is, draw a 350-mile circle around it, and that area will be saturated with Wal-Marts and Sams."

Childbirth Classes Offered

LEE— The Lee Visiting Nurse Association, Inc., has announced two eight week series of childbirth classes. The first series of classes will be held on Wednesday evenings, 7 to 9 p.m., starting Feb. 24, and the second series will begin on Wednesday evenings, 7 to 9 p.m., starting April 28, at the Lee VNA office at the Tracy House, 32 Park St.

Sherrie Porter, RN, ACCE, will teach the childbirth series. The content of the course will focus on childbirth preparation, labor and

delivery, exercise and nutrition, and a hospital tour. Upon completion of the course, a short series of parenting classes will be held for participants in the childbirth classes.

The classes are free of charge, funded by a grant from Berkshire United Way High-Risk Mothers and Infants Program. If anyone is interested in obtaining more information, contact Linda Cormier, RN, MS, at the Lee VNA, at 243-1212. Registration is limited to ten pregnant women and partners.

Century TV Holiday Toy Drive a Hit

LEE — Century Berkshire Cable General Manager, Philip Hopkins, has announced today that the Company's annual "Century Cable Cares Holiday Toy Drive" resulted in the donation of hundreds of new toys to needy children in South Berkshire.

Between Nov. 16, 1992 and December 23, 1992, Century Cable offered free installations and upgrades to subscribers in return for a new, unwrapped toy.

Century Berkshire Cable distributed the toys through Community Services in Great Barrington and the Lee Police Department's annual Laliberte Fund.

Both Community Services and the Lee Police Department had dramatic increases in the number of requests for assistance this past holiday season.

"Over the past several years this campaign has been able to grow along with the need in the community.

"We would like to thank E! Entertainment Television for their contributions in this effort and the hundreds of residents who donated over 250 toys and helped to provide holiday cheer this season to those who may have gone without," said Mr. Hopkins.

Record Vox Pop

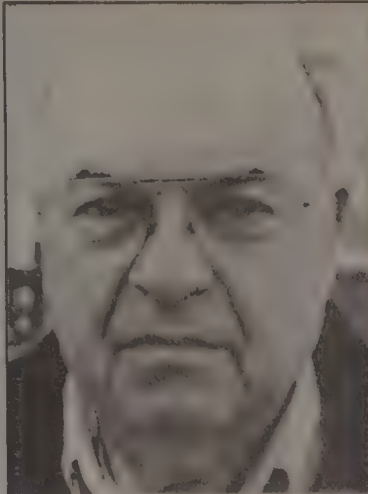
By Nancy O'Shaughnessy



Don Coco



Stephanie Chague



George Inman

Question: "How would you feel about a Wal-Mart in Lee?"

George Inman, Lee: "I think it is going to ruin our little town of Lee. Wal-Mart just devastates the towns that it goes into. I would predict that within a year more than half the stores on Main Street will be out of business. If you have the local people running the business then the money goes to the local people, but if Wal-Mart runs the show then the money gets sent to Arkansas. They'll just hire the people around here who will be losing their jobs, and hire them part-time. I really don't think that the people of this town will go for it."

Stephanie Chague, Lee: "I feel that it's going to be an advantage for the people who live here. I really don't feel that the Price Chopper is much of a store. The people here will benefit from having another place to do their shopping. It can't hurt."

Bunny Larsen, Lee: "Well, what I feel is that the Town of Lee

needs business that will offer a living wage. It's another discount store that is just going to offer people a minimum wage. I feel like the town has betrayed the people. It has been discussed since August, and now we're hearing about it. I don't feel that is up to snuff. We've seen this before. They are ruining our New England towns. These strips come in, and inevitably fail in about 20 years, and then we are left with the mess to clean up. I am very disappointed with our officials."

Kathy Kulas, Becket: "I don't care. I think that if they keep their prices low it would be a good thing. I come from Becket to shop, so it would be nice to have. I think that it could be convenient for a lot of people."

Don Coco, Lee: "I think that it will probably be good for this town. We really need the employment it could bring. I don't know much about it, though. It would be good

if they were hiring local people. The traffic might be a problem."

Joan Palmer, Lee: "Oh, well, it's all right with me. I think we need a good grocery store around here. Why not?"

Donna Katen, Lee: "I think that it would be the greatest thing in the whole world. As far as I'm concerned. Doesn't everyone think so? It would be great because it would offer competition for the other stores, and then maybe we could get some reasonable prices around here."

Jeremiah Hemstrong, Otis: "Well, I feel that it is a positive thing, in some ways. But I really feel like they shouldn't buy a whole new property to construct it. What's the point? There are so many abandoned buildings that should be used. Why not Kay Bee Toys? Why build, and ruin another piece of land?"

day, February 12, 1993 Berkshire Record

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Lee Selectman Denies Conflict, Asserts He's 'Sick of Innuendo'

By Mark K. McCulloch

LEE—Selectman John DeVarennas fired back against charges he was in conflict of interest over the Oak N' Spruce abatement issue. In harsh language directed at open government advocate Joseph Castronova, DeVarennas said he was "sick of the innuendo."

"I don't intend to step aside," he said, showing a letter from Town Counsel Jerome J. Scully confirming his denial on Monday. "There was no discussion on my part to influence the Board of Assessors in any meeting I have been at regarding Oak N' Spruce."

Selectman Martin Deely, the acting chairman, said he has never known DeVarennas to do anything that "wasn't completely honest and ethical." He said none of the board would ever allow anything like a conflict of interest to happen.

"I have been at every meeting that he has been at and any innuendo of that kind of request (for DeVarennas to step aside on dis-

cussions involving Oak N' Spruce) is so far out of line that I resent it," Deely said.

Deely warned Castronova that he hoped Castronova was not "throwing this out" in an attempt to give DeVarennas a hard time. DeVarennas shot back as Castronova was speaking and said he was "sick of the innuendo" that his actions in any way were illegal and said if Castronova wanted to say anything further about it, he "could go talk to my lawyer."

"I'm getting sick of the innuendo that I'm doing something illegal and that's the end of it," DeVarennas snapped. In a letter to DeVarennas from Scully, Scully clearly states there was no conflict of interest because the Board of Selectmen has no jurisdiction over such matters."

"I see no problem with you as a member of the Board of Selectmen meeting with the Assessors for the purposes of being brought up to date on the current status of this lawsuit," Scully said.

In his letter, Scully did warn

DeVarennas to "refrain" from giving advice to the Board of Assessors "in connection with matters currently pending." Town Administrator Frank Abbondanzio said the discussions with the Board of Assessors last week "were an attempt to bring the selectmen up to date."

"It was really the assessors talking and the selectmen listening and discussion concerning the pending litigation was really the selectmen again just being brought up to date," Abbondanzio said.

DeVarennas owns a time-share unit at the embattled Oak N' Spruce Resort on Route 102, which has filed for bankruptcy protection and was taken over by a New Jersey bank. The bank subsequently failed during the Savings and Loan debacle.

Lee is involved in pending litigation involving collection of monies due on back taxes. Oak N' Spruce is owned by Diversified Resorts, which was granted a tax abatement of more than \$104,000 for 1989 and 1990.

Berkshire Record 2/12/93 p. A3

Oak n' Spruce \$100,000 Abatement Upheld

By Mark K. McCulloch

LEE—There was nothing wrong with the town issuing more than \$100,000 in tax abatements to the embattled Oak n' Spruce resort, Town Administrator Frank E. Abbondanzio said Monday.

Abbondanzio was relaying the specifics of a decision reached by the Board of Assessors explaining the abatements granted Diversi-

fied Resorts after townspeople were critical of the board for not explaining the issue clearly.

Last week, the selectmen adjourned their regular meeting to meet in executive session with members of the Board of Assessors to discuss the issue.

A statement was read after that meeting but many of those present at the selectmen's meeting didn't hear it and wanted to.

Carol LeProvost has challenged the town to explain the preferential tax treatment and said last week she was satisfied with the explanation and was convinced there was nothing deliberately underhanded about the tax abatement.

"The Assessors were acting in the best interest of the Town of Lee and nothing was done that was injurious to the town," Abbondanzio said.

"Decisions that were made were made because of concerns about cash flow and the fact that this issue involved the town's biggest taxpayer," he said.

Why Waivers

When asked by outspoken Lee resident Joseph Castronova to explain why the town granted interest waivers to Diversified Resorts, the owners of the property on Route 102, Selectman Martin Deely said the town was operating under different rules.

"When you get into bankruptcy court, the rules change.

The Resolution Trust Corporation's tax payment was a negotiated settlement; the town was simply trying to get as much money as possible from them."

Deely explained the reason the town was in litigation was because the town was going to lose even more money from the owners, who have filed a claim against the Board of Assessors and the town for a lowering of the abatement.

Castronova has continually challenged the town's handling of the resort property's tax abatements and collection as well as Selectman John DeVarennes' participation in meetings dealing with the property.

DeVarennes owns a time-share unit on the property and Castronova said this fact disqualifies DeVarennes from taking part in any discussions.

Town Counsel Jerome J. Scully said last week he looked into the matter and was satisfied that DeVarennes was not in violation of conflict of interest laws.

Berkshire Eagle 2/11/92 B-B

Friday storm causes bus-tanker accident

LEE — The collision of a Berkshire Regional Transit Authority bus and a tanker trailer filled with fuel oil bottled up traffic for an hour and a half late Friday morning and early afternoon at Main and Center streets and sent the bus driver and one passenger to the hospital for treatment of minor injuries, Lee Police said.

Pavement made slippery by sleet and driving snow during Friday's storm caused the bus to slide into the tractor that was pulling the tanker, said Officer Henry Smachetti. Both vehicles were extensively damaged and had to be towed from the scene.

No citations were issued, but the accident remained under investigation yesterday.

Bus driver Henry J. Wright, 55, of Brown Street, Adams, and a passenger, Edith Mazzer, 69, of Ridgeway Avenue, Pittsfield, were taken to Berkshire Medical Center by Lee Ambulance for treatment and were then released. Mazzer had been thrown

from her seat and banged her head, police said.

The collision occurred shortly before 11 a.m. There was no report of other passengers being in the bus besides Mazzer.

The driver of the oil tanker, Edward L. Farnham, 36, of Plainfield, Conn., was uninjured.

According to Smachetti, Farnham was making a wide right-hand turn into Center Street from Main just as Wright's bus came down the Center Street grade from the opposite direction.

Wright slammed on the brakes, Smachetti said, but the bus slid on the snow-covered street head-on into the oncoming tanker tractor.

Farnham had been driving the tanker, owned by R.J. Halpin Inc. of Lee and filled with No. 6 fuel oil, north to the Kimberly Clark mills off Columbia Street when the collision occurred.

Traffic was detoured around the collision site for an hour and a half until the vehicles could be removed.

Berkshire Eagle 2/14/93
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Lee 60, McCann 41

LEE — The Wildcats were hanging on with an 18-14 lead midway through the first half, but outscored the visiting Hornets 11-4 to take a 29-18 halftime lead. McCann got no closer.

Jeff Puleri scored 15 of his game-high 23 points in the first half in a must win as the Wildcats remain a game behind Lenox in the Southern Division. Puleri also had 12 rebounds and three blocked shots.

Scott Northcutt led McCann with 11 points.

Lee won the jayvee game 59-46.

62 1 3

Lee: Make Wal-Mart site itself down

By Andrew Reinbach

Special to The Eagle

News that Wal-Mart and the Lee Selectmen have been talking for months about whether the chain will locate in Lee hit this town like a bomb. But all the hoo-hah aside, there is a way to address both the concerns of the downtown community and the interests of the store.

Why not build the Wal-Mart downtown?

There are solid planning issues that make this a good idea, but at its nub is the fact that where Wal-Mart goes, traffic follows; so if the store is sited in town, Main Street will prosper. If the store goes to the site on Route 102, on the other hand, shoppers will turn off the Mass Pike, go to the store, shop, then get back on the Pike, and Main Street will go on the clothesline.

Most jobs are part-time

People can argue that the latter isn't a foregone conclusion; people can argue that Lee needs jobs — any jobs. But it's unlikely that a big store far removed from Main Street will benefit Main Street. And as far as the jobs go: Most Wal-Mart jobs are part-time, minimum wage, and include no pensions or benefits. Are these the jobs we need in Berkshire County?

But assuming that Wal-Mart is coming to Lee, the question for the town becomes, how do we make the best of this?

And let's face it; locating in Lee makes a lot of sense for Wal-Mart, mainly because of its proximity to the Mass Pike interchange. This, in turn, illustrates how regionally Wal-Mart thinks; it's ob-

Andrew Reinbach is active in land-use issues in Berkshire County. The views he expresses here are his own and not those of any organization.

JSN The Eagle E-1 2/14/93



Craig F. Walker / Berkshire Eagle Staff

A view of Main Street, Lee, as photographed in winter 1991.

viously casting its retail net far beyond South County's shores and wants a location that works for that strategy. So much for arguments that Berkshire County can't support three Wal-Marts; obviously, South County is only the planned location for a store that will serve a much wider area.

So if the store is going to go some-

where, and if Lee is a serious contender, it might as well go where it can do some good. And if it goes in downtown Lee, it would have a positive impact, because instead of drawing shoppers away from Main Street, it would bring them directly into town, where they can eat at Lee restaurants and shop the Main Street shops.

True, some shops might have to adjust to the new realities of the market, or even reinvent themselves, to survive. But is that worse than two blocks of mainly empty shops? Lee's retailers would still have their most valuable asset — their leases — if the Wal-Mart was across the street, and they could capitalize on the increased traffic the Wal-Mart would

town

create; Main Street could prosper. And it would be unsurprising to find Wal-Mart willing to help Main Street merchants adjust, if it meant creating friendly conditions among both the townspeople and the Selectmen.

Luckily, there are two sites into which Wal-Mart could fit. What's necessary is to realize that a 30-acre site is not a God-given requirement.

One site is right behind Main Street, and is largely occupied by the Price Chopper, the Post Office, some town-owned land and several established businesses, and stretches as far as the Dresser-Hull building products complex. This site has both strengths and weaknesses; it would draw traffic directly to Main Street, but the site would be hard to assemble.

The other site is already occupied by the Rite-Aid shopping center, just off to the side of Main Street, and stretches as far as the Lee Savings Bank. This site also has pluses and minuses. On the one hand, it would be relatively easier to assemble; the legitimate concerns of the existing businesses on the site can be addressed fairly and to their advantage, and it's backed by undeveloped land, which makes it a more manageable site from Wal-Mart's perspective. On the other hand, it's not actually in downtown Lee, but off to the side; this means that more shoppers will turn back onto the turnpike after shopping in Wal-Mart, while fewer would be strolling Main Street.

I personally favor the Price Chopper site. It's the stronger site, if what we're talking about is Lee's future. And if the Wal-Mart went in there, the Rite Aid site would also prosper — whereas using the Rite Aid site would have a lesser positive impact on Main Street.

Either site is feasible, though. And raising the possibility will not drive Wal-Mart away. That company is sophisticated and has addressed these issues

Wal-Mart

■ WAL-MART, from E1

before. It may very well trade tough questions and a dicy approvals process on a site that poses some substantial environmental and town planning problems — I'm told there are wetlands and PCB issues on the land, and the store will inhibit eventual expansion of the water-treatment plant — for an easier and friendlier entry into Lee.

Because there are 10 acres of town land involved, the people of Lee have the opportunity to decide their own fate here. It is an enviable position, but full of responsibility. We can choose the long-term or the short-term point of view — the future of Main Street, or six months worth of construction jobs building a store. The price of that choice will be paid by our grandchildren.

The Advocate Feb 17, 1993 P 3

Results of feasibility study to be discussed at hearing on Lee's proposed golf course

By Laura Sheridan

The results of a feasibility study on a proposed municipal golf course in Lee will be revealed at a public hearing on February 23 at 7 p.m. at Town Hall.

First introduced to the selectmen in early 1991 by avid golfer and Professional Golf Association member John Wells as a viable way to boost the sagging economy of the town, the project has sputtered along in its development since.

Selectmen appointed a 16-member committee to study the project and its feasibility in February 1992, but their efforts diminished significantly last August when the committee discovered that they had written the bids for studies incorrectly.

"The committee sort of fell apart after that," said Claire "Bunny" Lahey, an original member of the committee. Apparently a smaller committee kept working on the project, however, and eventually filed corrected paperwork and found someone to perform the study.

Funded privately by Stockbridge resident and Red Lion Inn owner Jack FitzPatrick, the \$7,500 study has been completed by Golf Investment Advisers of Palm Beach Gardens, Fla. Exactly what the study suggests has not been released. Committee members who only saw the study two weeks ago -- after selectmen received it two months ago -- are keeping quiet on the findings until the hearing.

"[The hearing] is the time to come out

and see what's been happening," said Lahey. "I hope anyone that's interested comes to the meeting."

The project proposes to construct the first municipal 18-hole golf course on 123 acres in Lee on property on Fairview Street and Stockbridge Road that is owned by Penguin Properties Inc.

The feasibility study was performed in an effort to see if constructing and operating the course is financially manageable.

First Golf Corp. of Denver proposed the idea to build and finance the course and asked the town to have a feasibility study performed. If the findings are positive, the town would then decide whether to hire First Golf to build and finance the course. Ideally, revenues from the golf course would pay for all of the start-up and operating costs of the facility.

With the average cost of installing and operating a course set at approximately \$1 million and no guarantee that the money will come back to the town, many have opposed the project.

Henry Zukowski, Lee School Superintendent and a chairman of the greens committee at the Greenock Country Club, has opposed the project since its inception.

He has said previously that the town could end up with a long-term obligation and no guarantees.

Proponents of the project have said that the course could bring money to the town, add to the quality of life in the town, serve

as a magnet for tourists and provide an affordable opportunity for anyone to participate in the sport.

"Green space is disappearing in Berkshire County especially in south county," said John Wells. "A golf course preserves the land and in this case would also be an economic boon to the town with all the tourists and golfers it would attract."

Lahey, the creator of the Lee Tennis Association believes the project would also be of benefit to the town. Though she was disappointed that the feasibility study did not address the idea of including municipal tennis courts in the project, she thinks the project would be a step in the right direction.

"I want to see it succeed. I have a gut feeling that it would work and could produce income," she said.

Lee man jailed for knife attack

PITTSFIELD -- A Lee man was sentenced to serve three months in the county jail and placed on probation for three years after pleading guilty yesterday afternoon in Superior Court to charges that stemmed from a knife attack on another man.

Michael DeVarennnes, 27, of Lee appeared before Judge William W. Simons and pleaded guilty of one count each of assault and battery with a dangerous weapon, operating under the influence of alcohol and possession of marijuana.

DeVarennnes admitted stabbing 32-year-old Matthew Walsh while they were ice fishing in October Mountain State Forest on Feb. 23, 1992.

Simons sentenced him to serve three months of a two-year sentence at the Berkshire County House of Correction on the charge of assault and battery with a dangerous weapon. The balance of the sentence was suspended, and DeVarennnes was placed on probation for that time.

DeVarennnes was placed on probation for three years on the charge of operating under the influence and for six months on the marijuana charge. *Berkshire Eagle 2/18/93 B4*

editorial

Lee town representative system needs serious fine-tuning

Perhaps it's the precarious economic times that are making Lee residents want more of a voice. Perhaps it's the threat of a Wal-Mart looming on the horizon with the potential to alter dramatically Lee's business sector. But whatever the reason, some segments of the town's population want to abolish town representatives and open up town meetings to the citizenry.

The feeling among a number of people is that a small group of "insiders" are running the town. And heightening that feeling is the discovery that town officials have for months been quietly negotiating with Wal-Mart over a possible site for the retail store.

When the town-representative system was effected over two decades ago, the town was struggling to draw enough citizens to its town meetings to form quorums; the town-rep plan resolved that dilemma. But recent history has shown that reps are not always following the will of their constituents. In 1988, Lee residents voted 1,178-853 to instruct lawmakers to abandon the Strategic Defense Initiative -- or "Star Wars" -- but town reps passed over the same question. Even more aggravating for some was when

townspeople voted in a non-binding referendum last year to discard the town-rep system, but town reps voted to keep themselves in place.

Clearly something must change. But those who support keeping town reps have a potent argument: Apathy still prevails in many corners of Lee -- and what is the town to do when it cannot attract enough voters to town meetings to proceed with pressing business? Members of the Lee Town Government Study Committee are frustrated, and rightfully so, because they have received little response from their survey on the issue. And town reps testify that fewer and fewer people are calling them about local issues each year.

While the current system has its purpose, it needs some serious fine-tuning. One of the major weaknesses of the current system is its lack of accountability. Guidelines for town reps' attendance at town meetings should be drawn up. More importantly, warrant items for which a count is taken should become roll-call votes. While this may be time consuming, it allows constituents to know if their representative are truly following directives given at district

meetings. Finally, citizens have no chance to overturn a negative vote on financial matters. The Lee citizenry should have some recourse on both affirmative and negative votes if it believes town representatives have ignored their will. Conflicts of interest also need to be dealt with, with explicit guidelines as to inappropriate voting. The lack of attention toward avoiding such conflicts is highlighted by the composition of the Town Government Study Committee -- six of whose 10 members are town reps. Any town rep with a direct financial interest should be required to refrain from voting, eliminating ethically questionable votes by town employees.

Such restrictions could be, as has been suggested, implemented on a one-year-trial basis. If they fail to revitalize the system, the issue should be decided in the ballot booth by voters in a binding referendum. In the meantime, those who argue they want a voice in town government, need to do more than just talk. They need to follow the issues, show up at the next town meeting and watch the votes. And bring a neighbor.

letters

The Advocate Feb 17, 1993
P 2

about town

By Richard Houdek



DEATH AND TRANSFIGURATION: "Crucial importance" was an expression used often by my favorite economics professor in college. Most people no doubt would look upon such extravagant language as redundant, perhaps to some it even would appear superredundant. But at the time it managed to keep us on the edges of our seats when everyone else was assailing economics as the dismal science, the one to be avoided.

Crucially important is the way I would describe the arrival each February of the forthcoming summer's Tanglewood schedule. This is the one issued to Friends, that is, not those who are not enemies but rather those who contribute a certain amount for the perpetuation of this mother of all American music festivals. In arts-org parlance, funding forms the bond of friendship.

As I've noted before on this page, my wife, Peggy, gathers her anxiety early in the month as rumors mount all over town that: (1) The schedule has been assembled in Boston for several weeks; (2) our good friends, who contribute even more generously than we, received their announcement and ticket-order blank last week and (3) we have not yet heard from Tanglewood.

Well mercifully, the wait was not that long and the suspense, for this year, is over. Peggy is her ebullient self again as she makes check marks next to various dates and enthuses over how much simpler is this season's order form. I am happy too, for the event is like a no-fault groundhog day — whether or not the little beast sees his shadow, summer, glorious summer, is less than five months away.

And even Hazel, our head cat, seems more cheerful. Although he admits having been to Tanglewood only once, inadvertently, he said, losing directions en route to somewhere else. To Hazel, arrival of the schedule signifies balmy days on the horizon with carefree hunting junkets in our woods.

Peggy now urges me to mark my preferences on the schedule so that we can debate our choices and dispatch the order to Boston to assure front-row seats. She likes to scrutinize the artists as they work.

Examining the schedule I note an inordinate amount of Rachmaninoff and Tchaikovsky, with seven separate listings for the former, 11 for the latter. Remembering the financially successful orgy of Mozart two years ago marking the bicentennial of that master's death, the concert managers are about to do the same for Rachmaninoff (1873-1943) and Tchaikovsky (1840-1893).

But you needn't have a celebration to sell the music of Rachmaninoff and Tchaikovsky. Everyone loves them, you might argue. Correct. The commemoration is for music critics, who don't like the idea of hearing that much Rachmaninoff and Tchaikovsky. For them listening is work, you have to understand, and on a professional basis, the soul and body can take only so much of those romantic, heart-on-the-sleeve melodies and harmonies. But the two death anniversaries offer concert managers perfect excuses to schedule all that Rachmaninoff and Tchaikovsky. Of course the critics will see through this ploy and attack. But concert managers know music critics are never happy with anything anyway, so they don't worry about this too much.

What does worry concert managers is the potential anger from concertgoers when they discover that every Tchaikovsky symphony, concerto and piece of chamber music, unlike the *1812 Overture*, does not include a military band, cannon and fireworks display.

However, the piano companies and their representatives should be delighted, considering the output for keyboard of the two Russian honorees, along with a couple of concertos each from Beethoven, Brahms and Mozart on the schedule. Now piano-company representatives probably don't like attending summer concerts any more than critics or ordinary people who would rather watch fireworks, but pianos have not been selling any better recently than houses or cars. The piano people realize that the small line in the program noting that Mr. Glutz plays the Steinway, the Baldwin, Knabe, Yamaha or a 3-foot Kimball doubtlessly will spur listeners to buy one of these instruments and take piano lessons, which will help the piano companies, piano teachers, and hence, through the trickle-up theory, the entire economy. Which is why, as my old econ prof might agree, the Tanglewood schedule is of crucial importance.

Lee Bank mortgage portfolio increases 29 percent in 1992

LEE — David J. Bruce, president of Lee Bank, said yesterday that the bank's residential mortgage loan portfolio had increased by 29 percent last year with a level of mortgage activity that exceeded the total for 1989, 1990 and 1991 combined.

A total of \$54.2 million in mortgage loans was generated last year, he said, a level reached because of the "extraordinary refinancing activity fueled by the lower level of interest rates."

A total of \$61.9 million in loans was written last year, bringing the bank's total loans to \$113.6 million, or 77 percent of its assets.

All of the financial measures for the bank increased during 1992, he said, listing the categories of capital, loans, deposits, assets and earnings.

Unlike a number of other banks in the area, Lee Bank's deposits increased by \$10.9 million during the year, a 9.2 percent jump, for a year-end total of \$129.3 million.

The growth, Bruce said, resulted from the bank's decision to maintain its rate on regular savings accounts at 5½ percent until July 1, 1992, a date that fell well after other banks had lowered their rates. As a result, he said, "investors looking for a safe haven for their funds were attracted to the relatively high yields of our accounts."

The high interest paid on savings accounts limited the increase in the bank's earnings to \$610,000, or 2 percent over 1991, he said.

Capital increased from \$11 million to \$11.6 million and assets increased by 11.4 percent to \$147 million.

Even though the capital-to-asset ratio decreased slightly from 8.35 percent in 1991 to 7.9 percent last year, it continues to be well above the regulatory minimums, Bruce said.

He said the bank participated in several programs during the year that are designed to meet

specific housing needs.

The bank worked with both the Berkshire Housing Development Corp. and the Massachusetts Housing Finance Agency to provide mortgage loans for first-time home buyers.

It also took part in a program to provide reverse mortgage loans under the sponsorship of Homeowners Options for Massachusetts Elders.

Bruce said that other highlights of the year were the formation of a mutual holding company last July 1, which provides a structure that enables the bank "to meet the challenges in the years ahead." He also said the bank opened a loan office on State Road in Great Barrington.

He announced that Richard Salinetti, principal of Lee High School, was elected a trustee during the bank's annual meeting. Also elected as corporators were two local real estate agents, Sandra Preston of Sheffield and Frank Brundage of Lee.

Berkshire Eagle 2/19/93 C4

CYC sweeps Lee hoop tourney titles

Boys' and girls' teams from the Catholic Youth Center in Pittsfield swept championships in the Lee Youth Association's fourth annual Grade 7-8 basketball tournament last weekend.

J.T. Torra scored 23 points as CYC defeated the Boys' and Girls' Club 62-58 for its third straight boys' title. Imaran Mayes had 20 points for the Boys' and Girls' Club. CYC had advanced to the final with wins over Dalton and North Adams, while the Boys' and Girls' Club had beaten Lenox and Lee.

In the girls' tournament, Erin Ladley scored 23 points to lead CYC to a 51-45 championship win over Lee, which got 12 points from Dana Korn. CYC had advanced with a win over Great Barrington, while Lee had beaten Dalton to reach the final.

Berkshire p 2 2/18/93
re Courier

ALS

Ann P. Leydet

LEE — Ann P. Leydet, 65, formerly of Brown Memorial Court, died Feb. 9 at Edgecombe Nursing Home in Lenox.

She was born Nov. 27, 1927, in Lenox, the daughter of William and Faye Bristol Gaherty.

She attended Lee schools and graduated from Lee High School in 1946. She worked as a nurses' aide at Edgecombe Nursing Home for many years until she retired.

She is survived by two daughters, Faye E. Mange of Lenox and Diane L. Milter of Kentwood, La.; a brother, Thomas Gaherty of Lenox; two sisters, Carol J. Ackroyd of Pittsfield and Shirley M. Cariety of Florida; and four grandchildren.

The funeral was Feb. 12 from Kelly Funeral Home in Lee.

Burial followed in St. Mary's Cemetery.

In lieu of flowers, the family suggests that donations be made to the American Cancer Society in care of the funeral home.

Michael J. Brown

LEE — Sgt. 1st Class Michael J. Brown, a maintenance supervisor, has been decorated with the Army Achievement Medal, awarded to soldiers for meritorious service, acts of courage or other outstanding accomplishments.

This is his third award.

He is the son of Kenneth S. and Ellen O. Brown of 145 Washington Mountain Road. His wife, Louise, is the daughter of Hugh B. and Jeanette Kegler, also of Lee.



Photo by Will McCoy

Sarah Blaisdell of Lee gets ready to take the ball to the basket against Mandy Price of Wahconah last night in the Berkshire County girls' basketball championship game at Lee High. Blaisdell had 18 points and Price 19 points, but it was Lee that earned its third straight crown with a 50-39 victory.

Lee girls win county title

Defense tames Wahconah

By Brian Sullivan
Berkshire Eagle Staff

LEE — Want to stop a runaway train? Just call the Lee High girls' basketball team. The way coach Tom Cinella has his team playing defense, the Wildcats can stop just about anything these days.

Last night, Lee defeated Wahconah Regional 50-39 to win its third straight Berkshire County championship. Lee is now 17-3, while the Warriors fall to 16-4.

Good things seem to happen to the Lee girls in groups of three. The Wildcats ran off three straight state titles between 1989 and 1991. And now it's a trio of Berkshire County crowns.

"I've got three children," Cinella said. "Maybe three is my lucky number."

Maybe so. But luck had very little to do with what went on at the packed Lee High gymnasium. The Wildcats surrendered 19 points in the low post to Wahconah center Mandy Price. But the rest of the Warriors' squad could account for only 20 other points.

Wahconah's 39-point total marked its second lowest offensive output of the year. The lowest was 33 points, which was also

against Lee in a loss earlier this year.

"Defense is always in our game plan," said Lee's A.J. Skowron, who scored 12 points and added six assists. "From the beginning we knew our height would be a weakness. And we knew they'd be looking to get the ball into Price. But we also knew that one player couldn't win it for them."

The Wildcats' Sarah Blaisdell turned in an all-around stellar performance, scoring a team-high 18 points while adding six steals and four assists. But the Lee sophomore was also a big part of the defensive mix, helping to shut down the Wahconah backcourt, which collectively was held to single digits.

"We knew what we had to do," Blaisdell said. "This was really a great team win."

Wahconah trailed 30-24 at half-time, having rallied from an early 17-6 deficit to cut the Lee lead to 18-14. The Wildcats then went on a 10-4 run to take a 28-18 lead before Wahconah fought back to cut the lead to six points at the break.

"In the second half we never got into any offensive synch," Wahconah coach Bob Powell said.

LEE, continued on C3

Mullen, Roberts win downhill

Krista Schmidinger fifth, Voelker 18th in U.S. Championships

WINTER PARK, Colo. (AP) — If this were hockey, Canada's Cary Mullen would have picked up a goal and an assist yesterday.

Mullen skied to victory over a flock of Americans to win the men's downhill, then produced a first-rate scouting report that helped teammate Lindsey Roberts win the women's race and complete a north of the border double in the U.S. Alpine Championships.

Krista Schmidinger of Lee, Mass., the leader in each of the training runs, finished fifth in the women's race in 1:16.20. Schmidinger was third in the downhill last year. Heidi Voelker of Pittsfield, Mass., who usually doesn't ski downhill races, fin-

Skiing

ished tied for 18th with Karen Kendall of Silverthorne, Colo., in 1:18.74.

Nancy Gustafson of Pittsfield, Mass., finished 31st after falling down and receiving stitches over one of her eyes during a training run Wednesday. Gustafson still plans to participate in today's grand slalom race.

Strategy key

Roberts went over the course with her coach and it paid off yesterday.

"We discussed the line over the second-to-last turn," Roberts said.

"There's a little roll and I just focused on absorbing the roll and carving the ski, instead of carving the ski and going over the roll. I just carved in the fall line before the last bump and I carried my speed all the way to the finish."

It proved to be the difference for the 20-year-old Canadian, whose triumph completed a two-year comeback from a broken back and pelvis. She covered the 1.24-mile Mary Jane-Arrowhead course in 1 minute, 15.98 seconds, .11 faster than Edith Thys of Squaw Valley, Calif., and .12 better than Picabo Street of Sun Valley, Idaho.

A few hours earlier, Mullen continued his recent hot streak with a run down the same track.

Berkshire Eagle 2/19/93 C1

LEE, from C1

"If we're not in synch, we're not a great team. And the Lee team shot well. When they were open they put the ball in the basket."

Cinella felt his team played a solid two-way game.

"We executed well offensively and played one of our better defensive games," Cinella said. "I'd give my team an A for stopping Wahconah in transition and a B in handling their inside game."

The Warriors did well to cut the Lee lead to six points at half-time. But the Wildcats scored the first seven points of the second half to quickly bump the lead to 13 points at 37-24. Skowron whipped a pass down the lane to Blaisdell for a bucket, and Allison Forfa followed with a three-point hoop. Skowron then ducked between two Wahconah defenders on a successful drive to the basket to give the Wildcats their biggest lead of the game.

The closest the Warriors got after that was 41-33, following a couple of hoops in the paint by Price. But Kelsey Scarpa hit a shot from the foul line and Blaisdell scored off a fast break to give Lee a 44-33 lead with about four minutes left.

Both teams shot tired in the second half, especially Wahconah, which was held to just nine points in the stanza with about three minutes remaining in the game. And seven of those points were by Price in the paint.

"We played well in the first half," Skowron said. "But we wanted to come out in the second half and step it up a little more."

Berkshire Eagle C3 2/19/93

Questions still developing

Is Wal-Mart project right for the area?

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — The Community Development Corp. began dissecting the Wal-Mart debate this week, separating two key issues that may ultimately greet the developers who want to bring the big retailer to Lee.

Meeting at Town Hall on Wednesday, CDC members hashed over the Wal-Mart subject and began elaborating on two questions: Is Wal-Mart, in particular, right for Lee? And is it appropriate to allow any retailer to open on land that's in an area earmarked for industrial devel-

opment?

CDC members spoke repeatedly about how a Wal-Mart would be harmful to Lee's existing businesses. And they said that if a Wal-Mart builds here, other retailers will follow, bringing pressures to open up a retail corridor in South Lee.

Daniel Holmes, vice chairman of the board, said he has already been contacted by Hardee's, a fast-food chain that is apparently following Wal-Mart into undeveloped territory.

In short, retail breeds retail, and more retail means less land available for industry, CDC

members said.

On the second question, Holmes commented that the Route 102 area has been repeatedly cited as the best location in the county for industrial development. Retail development there doesn't match the recommended use for the area, he and others said.

"We have a responsibility to the entire Berkshire area," he said, referring to the importance of attracting industry and business.

He said his problem is not with Wal-Mart itself, but with improper land use on Route 102.

The Wal-Mart developer, Pio-

WAL-MART, continued on B10

Lee Wal-Mart project spurs land-use debate

■ WAL-MART, from B1

neer Development Corp., is negotiating with the Salinetti family to purchase 20 acres of property along Route 102. The developer also wants to buy an adjacent 10-acre tract from the town. The entire project would require a zoning change at a town meeting, which would require a two-thirds majority vote of the town representatives.

Pluses, minuses

While a Wal-Mart would bring some 300 jobs to the area, provide tax revenue for the town and even include an adjacent supermarket, critics charge that a Wal-Mart would undermine existing Lee businesses by undercutting local prices, thereby displacing local businesses and jobs.

The developers are scheduled to make a public presentation of their plans to the town on March 1 at 7 p.m. at the Lee Central School.

Wal-Mart has promised the town \$50,000 if the store ultimately locates in town. The money can be used for any project the town deems important: development initiatives, a playground, park or parking lot, said Holmes.

CDC President David J. Bruce

said he wouldn't be so concerned about the impact of Wal-Mart if the proposed industrial park were moving along more quickly.

"If we could solidify the business park, I might not care what that other land was used for," he commented.

Supermarket questions

CDC member Jill Bickford Groff asked what might happen if Price Chopper, which has a small supermarket in downtown Lee, moves outside the town center and into the Wal-Mart plaza. She questioned what would happen to the downtown grocery store building.

Wal-Mart's developers have been noncommittal about the supermarket, saying they do not yet have a tenant lined up. However, they indicated they have a relationship with at least two chains, including the Golub Corp., which owns Price Chopper.

But five years ago, when the CDC "begged a supermarket to come to Lee, chains replied that there wasn't enough business to support a second market," said Holmes.

CDC members agreed to conduct some research into how towns like Lee have been affected by Wal-Marts before taking a formal position on the project.

Berkshire Eagle 2/19/93 B10

over Lee economic plans

What's taking so long on Rte. 102 park?

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — State and local officials are growing increasingly frustrated with the sluggish pace of progress in developing the Route 102 industrial park, which is viewed as a critical project in drawing new business and jobs to Lee.

At least one major business is interested in building on the site, but the delay in development means the company may go elsewhere, sources said this week.

The hold-up reportedly involves two of the three landowners

whose property would be purchased for the business park, sources say. Until just recently, the owners have been resistant to the Lee Community Development Corp.'s efforts to gain access to their property in order to conduct site evaluations and environmental analysis. Those tests must be done before the land can be purchased and developed.

"We're not giving up, but it's difficult when the landowners don't want to let us on their land," said Robert Baker, director of development for the Massachusetts Government Land Bank, the state agency involved

in the development project.

Lee Town Administrator Frank E. Abbondanzio said this week that the town is risking a missed opportunity to accommodate new businesses. Abbondanzio said he was optimistic last summer that the Community Development Corp. would be able to purchase the property this year and begin site preparation during the coming construction season.

"I don't see it happening now," he said.

Concerns are mounting with the Wal-Mart retail chain now eyeing a nearby site on Route 102. Some

RTE. 102, continued on B10

Berkshire Eagle 2/19/93 B10

Lee industrial park delays spur concern

■ RTE. 102, from B1

town residents are calling for a rejection of Wal-Mart in favor of attracting higher-paying, full-time jobs that industry would more likely provide.

At a meeting of the Lee Community Development Corp. on Wednesday afternoon, board president David J. Bruce said the site evaluation has until recently been "stalled."

However, he said, there's some reason for optimism now, because the owners of the Hopkins property — which fronts Route 102 — have agreed to allow an engineer to walk the land next week along with a Land Bank consultant. Bruce said the Hopkins family has been concerned about possible liability if contaminated soil

is found on the tract, where an auto junkyard once operated.

He said yesterday that the Hopkins family is justified in its concern, because environmental laws indicate that landowners are responsible for cleaning up toxic waste on their property.

Rear parcel

At the meeting, Bruce said the owners of the rear parcel have "basically ignored" the Land Bank's requests to gain access to the property.

The rear parcel, a 28-acre tract, is owned by a trust that includes Pittsfield realtor Isodore Goodman. Goodman said yesterday that he's willing to cooperate in the matter, but that two of the partners in the trust are in South

The CDC president said he's been involved in planning the project for the last five years.

America and aren't available to sign the necessary papers.

"As soon as they're back, it'll be no problem," Goodman said.

Goodman said the trust's lawyer has been in touch with a CDC member, and he indicated permission would be granted for testing as long as the CDC arranged for its own liability insurance and agreed that the work would be done within 30 days.

Frank P. Consolati Sr., a member of the CDC, is the owner of the third parcel, and he said at the meeting that he is more than willing to cooperate in any way necessary in an effort to bring jobs to Lee.

Donald S. Hopkins, who with his sister owns the 22-acre parcel along Route 102, has been cautious in allowing an evaluation of his property. But his sister, Mildred Michaud of Lee, said in an interview Wednesday that she's willing to move ahead, saying jobs are sorely needed in the region.

Lengthy planning process

Bruce said yesterday that he's been involved in planning the industrial park project for the last five years.

"We're getting closer," said Bruce. "I'm much more optimistic today than I was before the meeting [with Hopkins]," he said. "Their concerns are completely valid... But we're beginning to formulate some options, such as testing only part of the property and splitting off the corner of the land where the dump was."

He went on to say, "I wouldn't put the blame on the landowners, but on the slow process of assembling the site."

If diplomatic efforts prove fruitless, the town can turn to legislation passed last year, which allows the property to be taken by eminent domain.

However, no one is eager to take that aggressive tack, sources say.

"I'd say if all else fails, we have the ability to go test and to take the land by eminent domain," said Baker. "I'm not one for putting out the club, but if they reach the end of the road, that's an option."

Berkshire Eagle 2/21/93 B-2

Lee High lists 85 students on honor roll

LEE — Lee High School Principal Richard T. Salinetti has announced that 85 students — almost 29 percent of a total enrollment of 298 students in Grades 9 through 12 — have been named to the honor roll.

For inclusion on the high honor list, a student must earn a grade-point average of 90 or above with no grade under 80; for honors, a grade average of 85 to 90 with no grade below 75.

High Honors

Grade 12: Cherri Carter, Samuel Fix, Allison Forfa, Mark Grady, Elena LaGrant, Per-Anders Nilsson, Felicia Piacentino, Paula Pixley, Michael Puntin, Kelsey Scarpa, Karen Scheurer, Missy Vilot.

Grade 11: Lee Brighenti, Sara Burt, Heidi Clauss, Amy DiMario, Nathan Jones, Andrea Koenig, Kasey McManmon, Kelly Palmer, Jennifer Pixley, Joshua Shaw, Eva Sikorska, Allison Skowron, Elisheva Verdi.

Grade 10: Daniel Arndt, Lori Curtin, Jason Marchant, Sharon Taillefer, Christopher Tisdale, Sarah Walsh, Stephanie Wescott, Kara Wroldson.

Grade 9: Sean Burt, Timothy DiMario, Joseph Dinan, Jonathan Geldert, April Hubbard, Jason Kokoszka, James Moffatt, Marri Nicholas, James Salinetti, Carrie Sparks.

Honors

Grade 12: Patrick Consolati, Peggi-Jeanne Flood, Tobey Furgal, Gwendolyn Goehring, Tammy Higgins, Wendy Hubbard, Vinette Kennedy, Cara Kremposky, Bernadine MacDowell, Christine Miranda, Gabriel Naventi, Michael Naventi, Robert Piccolo, William Roche, Joseph Stedman, Patrick Stearns, Rebecca Sutton, Richard Wheeler.

Grade 11: Marcin Bolec, James Braim, Kristi Brighenti, Jenny Cory, Chris Eccher,

Kraig Johnston, Linda Kimberley, Jeffrey Puleri, April Reynolds, Corey Sparks, Danica Vaninetti.

Grade 10: Frances Baczek, Sarah Blaisdell, Jason Bush, Christine Cinell, Rick Methe, Cherie Nolan, Benjamin Simmons, Mark Walker.

Grade 9: Theresa Cysz, Gina Impoco, Derek Kresiak, Vaishali Patel, Patricia Schwab.

Lee CDC grapples with Wal-Mart issue, business park

Page 13 The Advocate Feb. 24, 1993

Whether Wal-Mart is right for Lee remains one of the hottest topics of discussion in town.

But another question also remains unanswered: Is the site on state Route 102 which Wal-Mart officials are considering an appropriate place for the retail store?

The Lee Community Development Corp. is pondering both questions so it can present its recommendations to the town, as requested by the Lee Selectmen.

Some of the concern about Wal-Mart focuses on the fact that the site under consideration for the nationwide retailer is prime industrial property and some CDC members question its being used for retail.

CDC Chairman David Bruce says he might be less concerned about a potential Wal-Mart on that site if Lee's proposed business park were more advanced than it is. But the plan is delayed because two of the three owners of land which the town would like to buy for the park have been

reluctant to have environmental evaluations of the property.

Landowner Donald Hopkins is reluctant to have his parcel tested and understandably so, because he bears the responsibility of cleaning up any hazardous waste from the town dump that was once there, Bruce says. But he adds that the town may be moving closer to resolving the testing issue by coming up with various options.

But with the park's future still uncertain, CDC members are concerned about using property zoned industrial for a Wal-Mart and discussed the issue at a meeting last Wednesday. "That area has prime industrial potential," says CDC Vice Chairman Daniel Holmes. "We have a responsibility to the entire Berkshire area."

Holmes says he is concerned that the Wal-Mart will attract still more retail development and he has already been contacted by officials from Hardee's fast-food restaurant chain.

Other concerns include the fear that the Wal-Mart would create two shopping areas, leaving the downtown as the most vulnerable of the two and local retailers fear the competition. Some also question town

In considering the Wal-Mart question, the town should look beyond the store's effects only in its first year and consider if the long-term effect might be beneficial.

property being sold to a private organization for profit, because Pioneer Development Corp., on behalf of Wal-Mart, is pursuing both a 20-acre tract owned by the Salinetti family and 10 acres of town land.

Some doubt also exists as to whether the town could support two grocery stores, the second one planned as part of the Wal-Mart complex.

"Five years ago this town begged for another supermarket," Holmes says, "But there wasn't the population to support it."

CDC members also discussed some of the advantages of a Wal-Mart: Many consumers welcome the lower prices and the town could use part-time jobs to prepare young people for the job market.

David Bruce points out that in considering the Wal-Mart question, the town should look beyond the store's effects only in its first year and consider if the long-term effect might be beneficial.

One carrot is that Wal-Mart would give the town \$50,000 for whatever the town decides to spend it on, Holmes says.

The CDC has decided it needs more information on Wal-Mart's effects on small towns such as Lee and will be researching the issue before taking a stand.

On March 1 at 7 p.m., developers will make a presentation to the town at the Lee Central School.

how it had hurt anyone.

The Advocate p. 4 Feb 24, 1993 Lee School Committee to select architect for roof restoration

Following Pittsfield architect William M. Barry's recommendation that repairs to the Lee High School roof begin no later than this summer, the school building committee will interview five possible designers for the project on Saturday.

Included in the list of five firms who expressed an interest in the project are two from Berkshire County: Hill Engineers of Dalton and The Design Group Inc. of Pittsfield.

Superintendent of Schools Henry T. Zukowski said that a designer would be selected based on past experience and performance. Zukowski said that the cost of the repairs would depend upon the designer's recommendation. Estimates for the project range from \$600,000 to \$1.5 million.

The school committee is hoping that 66 percent of the costs will be reimbursed by the state through a school-building-assistance fund.

"Time is an important factor for us," said Zukowski. "We have to have the project started by fiscal year '94 [July 1] if we want to receive any assistance but really we would like to have it finished before the students return from summer vacation in the fall."

The effect on taxpayers' bills is still uncertain but the school committee's proposed budget is up nearly 2.5 percent, the maximum amount permitted under Proposition 2 1/2.

Berkshire Eagle 2/21/93 B-7

Celebrity basketball game to aid Y-Me of Berkshires

LEE — Y-Me of the Berkshires will hold the third annual Rose Kushner memorial celebrity basketball challenge on Sunday, March 14, at 2 p.m. in the Lee High School gymnasium to raise funds to support its hotline and other services.

Among the local celebrities scheduled to play in the event are Stephentown, N.Y., resident and former Boston Patriots' star Brian Holloway, Hillcrest Hospital President Eugene Dellea, Central Berkshire Registrar of Deeds Mary K. O'Brien, state Sen. Jane M. Swift, state Rep. Peter J. Larkin, and Springfield TV Channel 57 station manager Steve Bass, who will head a team from the station. Announcer will be Dick Lindsay of radio station WSBS in Great Barrington, and local sports enthusiast Chris Whitney will referee.

Coordinator for the event will be Sallie Kate Park.

Tickets may be obtained on March 6 at the Y-Me information table at the Berkshire Mall, as well as at the door.

The event is held in honor of the late Rose Kushner, who was a

pioneer in the rights of women with breast cancer to make their own decisions. She inspired many through her own battle against breast cancer and through her tireless efforts to inform the public and the health care profession about the rights and needs of women diagnosed with breast cancer, an announcement from the organization said.

Y-Me of the Berkshires is an all-volunteer information and support organization for breast cancer patients established in 1990 by Sallie Kate Park, the chapter's current president. The only Massachusetts affiliate of the national Y-Me organization, Y-Me of the Berkshires is one of 11 chapters nationwide.

The chapter staffs a hotline that is toll-free to residents of Western Massachusetts but receives calls from across the state and eastern New York state. The group holds monthly support meetings on the second Thursday evening of the month at the Women's Club in Pittsfield and maintains a lending library of books, periodicals and audio- and videotapes.

Berkshire Eagle 2/23/93 Pauline B. Roberts

LEE — Mrs. Pauline B. Roberts, 81, of Pine Street, South Lee, died yesterday at Berkshire Medical Center.

She was born in Ellington, Conn., on July 2, 1911, daughter of Everett and Elna Dimock Charter, and moved to South Lee with her family in 1916. She graduated from Lee High School in 1930.

During World War II, Mrs. Roberts worked at the former Hurlbut Paper Co. In 1964, she moved to Monterey, where she was a nurse's aide at the former Berkshire Hills South nursing home.

She was married to Maurice F. Roberts on Jan. 14, 1950. After his death on March 22, 1979, she returned to South Lee.

She was a member of the Women's Auxiliary and Altar Guild at the Church of the Good Shepherd and had been a member and officer of the former Lee Grange.

She leaves several nieces and nephews.

The funeral will be conducted tomorrow at 2 at the Church of the Good Shepherd by the Rev. Denis B. Ford, vicar.

There will be no calling hours.

Memorial donations may be made to the either the American Cancer Society or the Church of the Good Shepherd in care of Kelly Funeral Home, which is in charge of arrangements.

Lee administrator defends private talks with Wal-Mart

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — Town Administrator Frank E. Abbondanzio defended his decision to hold what he called "internal" meetings with some town officials and representatives from the Wal-Mart development company in recent weeks.

Asked at the Selectmen's meeting last night by some residents why a meeting Thursday wasn't made public beforehand, Abbondanzio replied that discussions about development should not be discussed publicly.

Wal-Mart's development firm, Pioneer Development Corp., is meeting with town and business representatives merely to determine the "informational needs" of Lee prior to a public presentation to be given Monday night, he said.

Backed by Selectmen

The Selectmen backed his actions, and a lone voice from the audience of spectators also offered support.

"He has my support," said Louis Failla, who is running for selectman this year. "I can't see how we can be competitive if we let the cat out of the bag every time" a developer is interested in Lee, he said.

Failla said that if General Motors were coming to open a plant in Lee, "people would be patting you on the back and taking you out to dinner."

Wal-Mart, the nation's largest retailer, is interested in developing a retail store and adjacent supermarket on land on Route 102.

Thursday's meeting was at least the third to be held quietly in recent weeks among Pioneer Development and representatives of town boards and the Chamber of Commerce, sources have said.

However, a couple of people at last night's meeting said the public should be aware of those meetings, and Abbondanzio was accused of outright secrecy by town representative Charles O'Neil.

Joseph Castronova suggested the meetings could be taped for broadcasting on the local cable television station.

Selectmen Chairman Diane P. Roosa said Abbondanzio is entitled to hold a meeting whenever he wants to consider town business.

Abbondanzio stressed the importance of discretion in discussing development matters and real estate negotiations. In this case, the developer is considering purchasing 20 acres of privately owned property and an adjacent 10-acre parcel owned by the town.

Monday's hearing is scheduled for 7 p.m. at Lee Central School.

later went to the police station and admitted removing the beer for the derby at Goose Pond. However, he said, although he may have violated the law technically, he hadn't done anything morally wrong.

The Selectmen's decision to schedule a hearing on the violation later was met with criticism from Failla. He described Tristany's complaint as part of a "personal vendetta" and defended The Locker Room's attempt to organize a family event on Valentine's Day.

"In the future, when a complaint comes it should be signed by a resident of the town of Lee," he said.

Tristany lives out of town, but her parents live next door to The Locker Room. She has been critical of the bar since it opened about 18 months ago, complaining about parking problems, liquor

law violations and patron conduct.

She replied last night, "My legal authority to act on behalf of my parents is on file with this board." She described the recent incident as a "clear-cut violation of liquor license laws."

Other business

In other business, the board:

► Authorized the Department of Public Works' deficit spending plan of \$25,000 to pay for excess snow removal costs.

► Delayed its scheduled public hearing on whether to abandon Chestnut Street as a town way, because surveying maps are not yet complete.

► Received notification that the state Highway Department plans to advertise in September for design services for the Tyringham Road bridge replacement project.

Locker Room complaints

In another matter, the Selectmen received another complaint about liquor law violations at The Locker Room and agreed to schedule a public hearing to consider taking action against the Main Street bar and restaurant.

It will be the second public hearing for alleged violations of its liquor license provisions. An earlier hearing resulted in a warning.

According to a police report delivered to the board by Officer Henry Smachetti, Marguerite Tristany — whose family lives next door to the bar — called police Sunday, Feb. 14, at 10:10 a.m. and reported seeing Locker Room owner Donald Lucy and another man loading a keg of beer from the bar into a pickup truck. She stated that there also appeared to be a gas grill in the truck and that she had photographs to prove her observations.

Later police learned that the keg and grill were being taken to Goose Pond, where The Locker Room was sponsoring an ice fishing derby for parents and children. The beer was donated by the bar, police said.

However, the Selectmen were advised by their lawyer that removing alcoholic beverages from the premises constitutes a violation of the liquor license. In addition, the bar had failed to obtain a one-day permit to dispense alcoholic beverages at Goose Pond and appeared to be selling alcohol prior to noontime on Sunday.

Smachetti reported that Lucy

Berkshire Eagle 2/23/93 B3

Lee merchants form action group

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — With Wal-Mart aiming to set up shop on the outskirts of town, Lee is mobilizing to revitalize its downtown business district by forming an organization called Lee Economic Action for Downtown.

Initiated by state Rep. Christopher J. Hodgkins, D-Lee, LEAD's objectives will be to enhance the town's historic character, stimulate local businesses and tap into state economic development funds. Such efforts are typical of small-business communities that are given stiff competition by Wal-Mart, the nation's biggest discount retailer.

Hodgkins assembled the first meeting of LEAD on Friday and named a board of directors made up of merchants, private citizens and public officials.

Demonstrated commitment

"We want to take advantage of all the energy and resources that already exist and build on that," he said. "The single common thread of all members in LEAD is that they not only have demonstrated a commitment to the future of Lee, but have acted on that commitment. The goal of LEAD is to be an action-oriented group and not simply another committee."

Hodgkins, who has expressed positive views about Wal-Mart's potential for bringing in jobs and tax revenues, has also said downtown businesses must rally to the challenge and make changes, if possible. Merchants have been raising worries about how the giant discount store could undermine their businesses and eliminate some of them altogether.

Erik Bruun, Hodgkins' aide in Boston, said LEAD is based loosely on the Main Street Action Association in Great Barrington, an extension of that town's

Chamber of Commerce. The group's goals are to revitalize Great Barrington's business corridor, both downtown and outside of town.

That group was successful last year in obtaining a \$450,000 state grant to help pay for construction of a downtown parking lot and adjacent private development of businesses and retail stores.

Seek state funds

Bruun said LEAD may eventually have a good chance at obtaining some state funds for similar development work in downtown Lee. The money would pay for a staff person to guide the development process.

Helen Larson, owner of the Upstairs Basement consignment shop on Main Street, was named as one of LEAD's directors and said she backs the initiative 100 percent.

She and her husband recently bought a commercial building on Main Street that houses two retail businesses and some apartments.

Larson said there are a number of improvements that could make downtown Lee more inviting, such as improved streetlights, improvements to retail buildings and perhaps the establishment of a weekly farmers' market in the summer. She also said a number of downtown retail buildings are owned by absentee landlords who could be approached about improving their facades.

She said she continues to hear angry words about the prospect of a Wal-Mart coming to Lee, but at the same time, the threat has made people more conscientious about the need to improve the downtown area.

Others invited to serve on the board of directors are McClelland Drug Store owner Francis X. Downing, Planning Board member Gordon Bailey, Sullivan Station restaurant owner Marilyn Kelly, Lee Youth Association di-

rector David Canterbury, attorney Donald Hunter, Town Administrator Frank E. Abbondanzio, Community Development Corp. member Anthony Caropreso, resident Deidre Consolati, contractor Douglas Trombley and Thomas Unsworth of Lee Bank.

Others are being invited to join the board.

LEAD's objectives will be based on two development projects that were authorized to receive \$400,000 in state funding in 1988. However, state budget problems meant that the town never received the money.

The objectives include:

- Encouraging public and private investment in downtown development projects.

- Improving the condition of the common.

- Enhancing and rehabilitating downtown Lee.

- Improving downtown parking.

- Creating more recreational space.

- Implementing historic restoration projects and community events.

Hodgkins said that although Wal-Mart has been a catalyst for revitalizing downtown Lee, LEAD's plans are separate and distinct from the fate of the Wal-Mart plan.

"This is not about Wal-Mart, this is about Lee," he said. "Lee is a town where people already can live, shop and work. We want to make sure it stays that way, and LEAD is just one of many initiatives under way to make sure Lee remains the same kind of working New England community that no one wants to see change."

Berkshire Eagle 2/24/93

Obituaries *B3*

Edward Murray; was active in Lee town government

LEE — Edward Francis Murray, 65, of Via Maria Road, an assessor and former chairman of the Selectmen, died Monday at Berkshire Medical Center after being stricken with a heart attack at his home.

Born in Stockbridge on Oct. 10, 1927, son of the late Charles and Henrietta Hall Murray, he was 1945 graduate of the former Williams High School there. He was an Army veteran of World War II.

Mr. Murray began employment in 1950 with New England Telephone Co., where he remained until he retired in December 1989.

He had been an assessor since 1991 and was a member of the Town Study Government Committee. He had served on the Planning Board from 1964 to 1967, as a selectman from 1967 to 1976 and on the Finance Committee.

Mr. Murray was a communicant of St. Mary's Church and a member of the Telephone Pioneers of America, Greenock Country Club, American Legion Post 68 in Pittsfield and Berkshire County Senior Golf League. He was a former member of Berkshire Hills Council, Knights of Columbus.

He leaves his wife, the former E. Gloria "Dolly" Frulla, whom he married Aug. 23, 1952; two sons, William E. Murray of Hastings-on-Hudson, N.Y., and Brian E. Murray of Pepperell; a daughter, Mrs. Barbara A. Kendrick of Medfield; a brother, Joseph Murray of Housatonic; a sister, Mrs. Mary Ann Brazie of Housatonic, and a grandson.

The funeral will be tomorrow at 9:15 from Kelly Funeral Home with a Liturgy of Christian Burial at 10 at St. Mary's Church. Burial will be in St. Mary's Cemetery.

Calling hours at the funeral home will be today from 2:30 to 4 and 7 to 9.

In lieu of flowers, memorial donations may be made to St. Mary's School or the Lee Library Association in care of the funeral home.

Group organizes to revitalize Lee's downtown

By Laura Sheridan

Hoping to funnel some of the energy that has been created over the proposed Wal-Mart project on Route 102 into a creative and meaningful plan of action to revitalize the downtown area of Lee, state Rep. Christopher J. Hodgkins, D-Lee, has organized the Lee Economic Action for Downtown.

"This is not about Wal-Mart; this is about Lee," Hodgkins said. "Lee is a town where people already can live, shop and work in. We want to make sure it stays that way. LEAD is just one of many initiatives underway to make sure Lee remains the same kind of working New England community that none of us wants to see change."

An organization comprised of private citizens, downtown merchants, community leaders and town officials, LEAD's objectives are:

--expanding recreation facilities downtown.

--enhancing the town's sites through preservation projects.

-- making parking readily accessible to customers and workers.

-- taking advantage of the town's location off the turnpike to make Lee a destination point for travelers and Berkshire County residents.

"What we want to do is take advantage of all the energy and resources that already exist and build on that."

"Lee is in a great position," Hodgkins said. "The town already has a lot to offer. It is located right off the turnpike. There are so many people with so many talents that we can use."

The newly formed group which met for

the first time last Friday will seek to implement revitalization programs by tapping state community development programs and other resource areas for aid. Hodgkins said meetings with state officials were already being set up to explore various opportunities.

"What we want to do is take advantage of all the energy and resources that already exist and build on that," said Hodgkins. "The goal of LEAD is to be an action oriented group and not simply another committee."

Hodgkins has said that he will build upon the downtown revitalization plan that was previously drafted in 1981 by a group called PositiveLee.

"Now is the time to take the plan off the shelf and breath new life into it," he said.

Invited members of LEAD Board of Directors are Francis Downing, Bunny Larson, Bill Derrick, Marilyn Kelly, Gordon Bailey David Canterbury, Doug



Rep. Christopher J. Hodgkins

Trombley, Tom Unsworth, Don Hunter, Frank Abbondanzio, the Rev. Dennis Ford, Deidre Consolati and the selectmen.

Berkshire Courier 2/25/93 Pauline B. Roberts

SOUTH LEE -- Mrs. Pauline B. Roberts, 81, Pine Street died Feb. 22 at Berkshire Medical Center in Pittsfield.

She was born July 2, 1911, in Ellington, Conn., the daughter of the late Everett and Elna Dimock Charter.

She moved to South Lee in 1916 and was educated in local schools. She graduated from Lee High School in 1930.

She worked at the former Hurlbut Paper Co. in South Lee during World War II.

In 1964 she moved to Monterey and worked at the former Berkshire Hills North Nursing Home in Monterey as a nurse's aide.

Her husband, Maurice F. Roberts, died in 1976. They were married Jan. 14, 1950.

She returned to South Lee in 1976. She was a member of the Women's Auxiliary and Altar Guild at the Church of the Good Shepherd in South Lee and was a member and officer of the former Lee Grange.

She leaves several nieces and nephews.

The funeral was Feb. 24 from the Church of the Good Shepherd, with a burial office and communion service celebrated by the Rev. Denis B. Ford, vicar.

The family suggests that memorial donations may be made to the American Cancer Society or the Church of the Good Shepherd, in care of Kelly Funeral Home, which is in charge of arrangements.

Berk. Courier 2/26/93 Edward F. Murray

LEE -- Edward F. Murray, 65, of Via Maria Road died Feb. 22 at Berkshire Medical Center in Pittsfield.

He was born Oct. 10, 1927, in Stockbridge, the son of the late Charles and Henretta Hall Murray.

He was educated in local schools and graduated from the former Williams High School in 1945.

He served in the Army in World War II.

He was employed in 1950 by New England Telephone Co. until he retired in 1989.

He was a member of the Lee Planning Board from 1964-67; a Selectman from 1967-1976; a member of the Finance Committee, and an assessor from 1991 to present.

He was a member of the Telephone Pioneers of America, and a communicant of St. Mary's Church.

He was also a member of American Legion Post 68 of Pittsfield, and a former member of the Berkshire Hills Council 314 Knights of Columbus in Lee.

He leaves his wife, E. Gloria "Dolly" Frulla Murray. They were married Aug. 23, 1952.

He also leaves two sons, William E. Murray of Hastings-On-Hudson, N.Y. and Brian E. Murray of Pepperell; a daughter, Mrs. Barbara A. Kendrick of Medfield; a brother, Joseph Murray of Housatonic; a sister, Mrs. Mary Ann Brazie of Housatonic; and one grandson.

The funeral is this morning, Feb. 25, at 9:15 a.m. from Kelly Funeral Home in Lee with a Liturgy of Christian Burial at 10 a.m. at St. Mary's Church.

Burial will follow in St. Mary's Cemetery.

The family suggests that in lieu of flowers friends wishing may make donations to St. Mary's School or the Lee Library Association in care of the funeral home.

Berkshire Eagle 2/28/93 Hodgkins engineers meeting for chamber and developer

LEE -- State Rep. Christopher J. Hodgkins has organized a lunch meeting tomorrow between members of the Chamber of Commerce and representatives of Pioneer Development Corp., the company attempting to develop a Wal-Mart store on Route 102.

The meeting is scheduled for noon at the Veterans of Foreign Wars home on Route 102.

Hodgkins, D-Lee, said he met with the developers and urged them to meet with the chamber, whose members have expressed concern about the impact of the nation's biggest discount store opening up on the outskirts of town, potentially undermining smaller local businesses.

"I indicated they have to sit down and meet with these people," said Hodgkins. "There's no reason to waste everybody's time creating a big plan if it isn't palatable to the community."

Hodgkins said Lee merchants "are very much stressed out about this" and should hear what he heard from Wal-Mart representatives: That if the town doesn't want Wal-Mart, they'll

pack their bags and leave.

He said he hopes tomorrow's meeting will clear up some factual issues and allow chamber members to meet face to face with the developers to air their concerns.

town topics

The Advocate Feb. 24, 1993 p. 3 Lee budget proposal calls for 4.3 percent increase in taxes

Though the town's proposed fiscal year 1994 budget is not yet available for review, Lee Town Administrator Frank Abbondanzio said Monday at a selectmen's meeting that the town tax rate will increase by 4.3 percent next year.

Abbondanzio said that the increase, due to decreased revenues, would amount to \$63 in additional taxes for the average homeowner in Lee.

Abbondanzio said that the operating costs of the town were expected to increase by 1.7 percent. He said that most departments had come in with budgets that were under the 2.5 percent permitted under Proposition 2 1/2. The town also has lost revenues due to the loss of money from an asbestos-removal fund.

The town expects to receive level funding from the state.

Berk. Courier 2/25/93 Literacy Network Seeking Tutors

LEE -- Southern Berkshire Library Literacy Network, which provides free tutoring for South County adults, will hold four sessions to train tutors later this month and in early March.

More information is available by writing the Network at Lee Library, 100 Main St., Lee 01238.

Tutoring is provided in basic skills, including reading, math, spelling, English as a second language, and the high school equivalency diploma, according to Zoe Dalheim, outreach coordinator.

Berk. Courier 2/25/93 Jayna Jariwala

LEE - Jayna P. Jariwala of this town has been named to the Dean's List at Northeastern University.

She is attending the university's Bouve College of Pharmacy and Health Sciences.

Lee man's land purchase scrambles golf plans

Berkshire Eagle B1 2/25/93



Photo by Mark Mitchell

Robert Bartini has signed an agreement aimed at keeping the land behind him as open space.

By Ellen G. Lahr
and D.R. Bahlman
Berkshire Eagle Staff

LEE — Just hours before a Florida consultant aired the benefits of developing a municipal golf course off Stockbridge Road, Robert J. Bartini signed an agreement to buy the same 127-acre tract, which he wants to protect as open space indefinitely.

Bartini's preservation effort, on land he has leased for eight years to raise beef cattle, could derail a 16-month-old effort to determine the feasibility of building a municipal golf course on the property — unless the town opts to take the land by eminent domain.

"I'm not buying this to upset anybody," said Bartini, who lives on 18 acres abutting the 127-acre tract off Stockbridge Road and Fairview Street. "I've been leasing this land for eight years and don't ever want to see it developed. It's probably the last piece of land in Lee that's open space."

Bartini said he plans to com-

plete his purchase of the land from the Penguin Realty Trust in late March or early April. Realtor Isodore Goodman, the broker for the property, said Bartini plans to obtain low-interest financing for the purchase from a federal farm program.

Neither he nor Bartini would reveal the purchase price.

They said the purchase and sale agreement was signed on Tuesday, the same day that a hired consultant traveled to Lee to present his golf course feasibility study, paid for with a \$7,500 donation from former state Sen. Jack Fitzpatrick of Stockbridge. An additional \$4,500 payment is due from the town if the golf course is eventually developed.

Al Bechtel, president and owner of GIA, a Palm Beach, Fla., consulting firm, said at a public hearing Tuesday night that the town could realize a "modest profit" from the proposed "Berkshire National Golf Club of Lee, Mass." by its third year of opera-

LAND, continued on B8

Lee man's land purchase conflicts with golf plans

Berkshire Eagle 2/25/93 B8 cont.

■ LAND, from B1
tion.

Bechtel told the town's six-member Design Selection Committee that his projection is based on his estimate that 21,200 rounds of golf would be played at the course the first year and slightly more the second year.

Bechtel's projection also assumes that the total cost of building the course — including design but not land acquisition — be no more than \$3.6 million, according to Dayton DeLorme, chairman of the Design Selection Committee.

Support from chamber

About 50 people attended the committee's meeting in the Town Hall courtroom, including a representative of the town's Chamber of Commerce, which met Monday and voted its full support for the proposal.

Informed yesterday of the purchase and sale agreement, DeLorme sounded disappointed, although he said he'd been hearing rumors about Bartini's interest in the land.

DeLorme said the news "sure as hell shoots a hole" in the golf course plan. He said he doesn't yet know if the plan is strong enough to justify taking the land by eminent domain. He said the net revenue projections prepared by Bechtel indicate that the first year of operation would generate \$126,000, before debt service is paid, and that, by the fifth year, revenue would be approximately \$629,000.

"If you can sell bonds at 7 percent, it would turn a profit in the second year," he said.

Goodman said yesterday that the town has expressed interest in the property only informally, and has taken no steps to obtain an option to purchase the land.

Unanswered questions

Selectman Martin H. Deely said yesterday that Bartini's purchase doesn't mean the golf course design committee should abandon its planning efforts. If the numbers appear to work, he said, the town might pursue taking the parcel by eminent domain.

"But there are still unanswered questions with regard to the golf

course, financial questions, etc.," he said.

Bartini said he is confident the town won't try to take the property by eminent domain. Such an action would require a town meeting vote, and Bartini said he doubts voters would sanction taking property by eminent domain for a golf course.

"If they wanted to take it for a school, that's one thing, but a golf course? I don't think the people will do it," Bartini predicted.

And he affirmed that he has no plans to sell it to anybody willingly, and will take legal steps to ensure that the land remains open space.

"I want to keep it exactly like it is," he said.

Lee, Taconic

Berkshire Eagle 2/24/93
By Howard Herman
Berkshire Eagle Staff

Three more boys' basketball teams ventured into the Western Massachusetts tournament waters last night, and two came out with preliminary-round wins.

In Division 1, sixth-seeded Taconic rolled past 11th-seeded Longmeadow 71-53 as Jarmal Si-strunk scored a game-high 23 points. The Braves advance to tomorrow night's quarterfinal against No. 3 Springfield Central.

Lee and Lenox both had Division 3 preliminaries, and only the Wildcats scored a win. Four Wildcats scored in double figures as the No. 5-seeded team ran away from No. 12 Frontier Regional 71-47 at Lee. The Wildcats will face No. 4 Hampshire Regional tomorrow night.

Lenox, the ninth seed, dropped a 46-39 game to No. 8 Gateway.

Geraldine R. Vogl

LEE — Geraldine R. "Dede" Vogl, 67, of George Street died yesterday at Berkshire Medical Center, Pittsfield.

Born in Hempstead, N.Y., on May 10, 1925, daughter of William and Ellen Daly Rogan, she attended schools there and graduated from St. Agnes' High School in Rockville Center, N.Y.

After graduation, Mrs. Vogl worked for Publishing Printing Corp. in New York City.

She married Edward J. Vogl on Nov. 6, 1948. They lived in Merrick, Baldwin and Commack, N.Y., before moving to Lee in 1973.

Mrs. Vogl worked for a short period of time for Nejaime Markets in Lee and Stockbridge. She was a communicant of St. Mary's Church and did volunteer work for the Literacy Volunteers of Berkshire County in Pittsfield and for the Southern Berkshire Library Literacy Network.

Besides her husband, she leaves two sons, Kevin A. Vogl of Somerville, N.J., and Steven J. Vogl of Maplewood, Minn.; a daughter, Mrs. Monica A. Gudlewski of Johnstown, N.Y.; a brother, John J. Rogan of Massapequa, N.Y.; two sisters, Mrs. Frances R. McCarthy and Mrs. Helen G. Mackreth, both of Massapequa, and a grandson.

The funeral will be Saturday at 9:15 from Kelly Funeral Home, with a Liturgy of Christian Burial at 10 at St. Mary's Church. Burial will be in St. Mary's Cemetery.

Calling hours at the funeral home will be tomorrow from 2 to 4 and 7 to 9.

Memorial donations may be made to the New York Foundling Hospital, 590 Avenue of the Americas, New York City, or in care of the funeral home.

*Berk.
Eagle
2/25/93 B2*

For Teresa Beavers Future Holds Painful Memories

Berkshire Record 2/24/93 A1
Victim of Simon's Rock Shooting Says She Is Hopeful That She Will Walk Again

By Suzanne King

LEE — Teresa Beavers, the security guard wounded during a Dec. 14 shooting rampage at Simon's Rock College, still has a long hard road ahead, her husband Bruce said on Feb. 19.

Some two months after a bullet shattered much of her lower body, and a month after she moved back to the Beavers' South Lee home, Teresa Beavers is back at Fairview

Hospital, waiting to see if doctors will be able to repair her shattered pelvic bone so she can walk again.

"We're just kind of coming to grips with the fact that this whole year is going to be a series of operations and recovery," Bruce Beavers said.

Although the immediate future looks painful, he added, "The bright side is that she's alive and she will probably be able to walk again."

"We can look to the future and

say eventually she's going to be up and about — not necessarily walking — but at least mobile."

That cold December night, when Wayne Lo, an 18-year-old sophomore, allegedly sprayed bullets across Simon's Rock's Alford Road campus, seems like a bad dream to the Beavers and their four daughters.

"It's kind of like we're still having the dream," Bruce Beavers said. "It's still like you really can't

believe it happened."

Teresa Beavers was on duty at the college security booth when Lo allegedly appeared with a semi-automatic rifle and shot her in the side.

After the shooting, Bruce was left wondering how he would even pay the electric bill.

But largely because of support from neighbors and anonymous strangers, the Beavers have been making it.

Berkshire Record 2/24/93 A1 Lee Voters

Are Poised To Oppose Wal-Mart

Opposition to Plans Becomes Organized

By Mark K. McCulloch

LEE — If a Wal-Mart vote were held today, Wal-Mart would be looking somewhere else for a site to build a third store in Berkshire County. Local support for the proposed project is waning and opposition is taking the form of organized vote-getting resistance.

When word first surfaced about the megastore coming to town, local merchants reacted with anger and fear because their businesses were facing extinction. Local citizens became vocal and began expressing vows of stopping Wal-Mart at all costs.

In an effort to develop a long-term Main Street revitalization plan, Lee set up LEAD, Lee Economic Action for Downtown. The newly formed group, initiated by state Rep. Christopher J. Hodgkins, D-Lee, held its first meeting Feb. 19.

The idea is to show unity among downtown business leaders and the community in order to implement a real plan for Main Street development. Hodgkins said the group was not formed specifically to compete with Wal-Mart. He wants the group to protect downtown Lee as a viable New England town whether Wal-Mart comes to Lee or not.

Continued on A10

Berkshire Record 2/24/93 A1 Wal-Mart Foes in Lee Grow

Continued from A1

But many people in Lee expect the new group to ally itself with other community groups to forge a united front against Wal-Mart. Such groups are typically formed in other small towns facing the Wal-Mart invasion.

Although there may be no way to stop the bulldozers, Wal-Mart has a pretty hard sell if they intend to purchase town-owned land and to secure a zoning change required for the building.

Both actions need two-thirds "yes" votes at the Annual Town Meeting and that seems very unlikely, local residents are saying.

At the regular selectmen's meeting on Feb. 22, word of a meeting Feb. 18 between Pioneer Development Corp., Town Administrator Frank Abbondanzio and representatives of various town boards and the Chamber of Commerce was released.

Abbondanzio said the meeting was an "internal" meeting designed to have Pioneer hear the "informational needs" of Lee business and town representatives prior to Pioneer's presentation March 1.

Abbondanzio was completely supported by the selectmen.

Kevin Kane, the developer from Pioneer Development in charge of the Lee project, said the meeting was helpful to his company.

He said what he learned from those present would help Pioneer address some of the concerns people have at the special hearing March 1.

But residents were angered about the meeting's secrecy and said the public has a right to know "what the hell is going on," said local resident Charles "Charlie" O'Neill, and the debate sparked a heated exchange between the

small audience and the Board of Selectmen.

In a letter to the selectmen, Passetto, along with the Chamber of Commerce, blasted Wal-Mart on everything from unfair trade practices to Wal-Mart's claim to "Made in the USA" labeling.

A public hearing with representatives from Pioneer Development will be held March 1 at 7 p.m. at the Lee Central School.

Lee 71, Frontier 47

LEE — "That's the kind of basketball we need to keep it going," said a happy Lee coach Matt Capeless after the game.

The Wildcats rallied from a 27-21 deficit to take a 31-29 halftime lead. The Southern Division runners-up scored the first five points of the second half, and followed that up with a pair of big runs to win going away.

"I mentioned at halftime how, if the season was going to end, it was because somebody was better than us," Capeless explained. The Wildcats took that message to heart.

The Lee defense, a combination of man-to-man and zone, held Frontier scoreless over the final 5:58 of the game, eliminating any chance of a comeback.

Capeless said reserve forward Jason Bliss stepped up and made a key contribution. Bliss came off the bench to score 12 points and snare 10 rebounds after starter Dave Clark (10 points) ran into foul trouble. Lee's Jeff Puleri led both teams with 16 points, adding 16 rebounds and five steals, while Pete DiGrigoli chipped in with 11 points. Ben Biron played a solid

Berkshire Eagle 2/24/93
floor game with six assists and five steals.

Will Herbert led Frontier with 12 points.

Berkshire Eagle
**'Free'
trip
isn't**
2/26/93
A P.1

Oak n' Spruce technique under attack

By Ellen G. Lahr
Berkshire Eagle Staff

LEE — When Ronald P. Thunberg got a phone call last week telling him he had won a free trip for two to Orlando, Fla., he was skeptical, but a friendly woman on the other end of the phone assured him repeatedly that his good luck wouldn't cost him a cent.

So he took a day off from his land surveying job in Worcester and with his wife, Jane, drove out to the Oak n' Spruce Resort to collect their prize, which they still weren't too sure about.

Within minutes of meeting with a representative who began a sales pitch for time-share units and evaded Thunberg's questions about his trip, he knew he'd been duped, he said.

'I was deceived'

He finally found out he had to pay a \$100 "activation fee" and a \$150 "application fee" to qualify for the Florida trip, and those costs didn't include taxes or gratuities, which he guessed would add \$150 more.

"When I realized they weren't giving the trip away and I was deceived — it was going to cost me about \$400 — I didn't stay for the presentation," he said. "I just couldn't do it. I'd rather spend \$600 and take a trip through a legitimate travel agency."

He and his wife drove to the Lee Police Department and filed a complaint against Oak n' Spruce.

He wasn't the first to do so: Over the years numerous complaints have been made against the resort or its marketing firms, alleging deceptive marketing tactics that promise "free" trips or prizes, which "winners" find out they can receive only after sitting through sales presentations and paying certain fees. Some of those allegations have resulted in small claims actions in Southern Berkshire District Court, said clerk-magistrate Louis A. Airoidi. There were about a dozen such

FREE, continued on A4

Berkshire Eagle 2/26/93
**Free trip
isn't free**
A4

■ FREE, from A1

complaints between 1989 and 1991, he said, but last year there were none.

According to the state attorney general's consumer complaint division, hundreds of complaints have been filed against the resort and its parent company since 1988.

Complaints decline

However, a spokeswoman there said the complaints against Diversified Resorts Inc., the parent company, have declined steadily over the years as the attorney general has been monitoring the company's advertising and marketing procedures. Overall, however, the number of complaints has been "high," she said.

Figures indicate that the number of complaints filed against Diversified Resorts Inc. or Oak n' Spruce totaled 234 in 1988; 176 in 1989; 111 in 1990; 30 in 1991, and 27 in 1992. Most complaints are filed against the parent company, Diversified Resorts.

According to the spokeswoman, the complaints themselves don't represent any evidence of wrongdoing, and she could not comment on the nature of the complaints.

Stan McLean, project director for Oak n' Spruce, said some of the complaints are based on "a difference of opinion."

He said that the company monitors any complaints received and attempts to rectify problems.

Despite the number of complaints in the past, he said, "I don't feel we have a problem."

He said he was not aware of the specific incident involving Thunberg.

Thunberg said he first received a call on Tuesday, Feb. 16, from a woman from World Connection Travel who informed him that his name had been drawn from a contest box, which baffled Thunberg because he hadn't entered his name in any contest, he said. She told him he had won a trip for two to Orlando, for three nights and four days, completely free of charge.

'Awards presentation'

He was told he had to attend an "awards presentation" last Friday at Oak n' Spruce Resort.

Once he met the sales representative at Oak n' Spruce, Thunberg said, he told her that he wanted to make sure he had won his trip, but "she wouldn't commit." He asked how his name was obtained and was told it came from a computerized marketing list, not from a drawing, he said.

"They dragged us all they way out there on the pretense that we won something," he said. "I had asked them three or four times and was told, 'You don't have to pay anything.'"

Thunberg said he later tried to contact the Florida travel company, JSI, which books the trips, but was put on hold for about 15 minutes and finally hung up. He said he's been unable to reach the company.

Deborah Cole of the attorney general's office said that her office has recently received complaints from Oak n' Spruce customers complaining about their inability to contact JSI.

McLean said he is aware of the problem but could not provide any information.

"It's being handled by the Florida attorney general's office," he said.

Berkshire Eagle 2/27/93 B4
**Lee man pleads not guilty
to threatening man with gun**

LEE — A 23-year-old Lee man pleaded not guilty yesterday in Southern Berkshire District Court of threatening another man with a loaded gun during an incident at the Lee boat ramp on Route 20 last Saturday.

It was the first of two unrelated incidents that night that involved a brandished shotgun, police said.

According to Lee Police, officers responded to a call at the Black Swan Inn on Route 20 at 9:18 p.m. There, they met 23-year-old Jose A. Morales of 166 Laurel St., who reported that he had been threatened by a man who had offered him ride home from the Bull's Eye Pub in downtown Lee.

Morales said the man first made a stop at The Locker Room and then drove Morales to the boat ramp. Sitting in the front seat, the man loaded a shotgun, told Morales to get out and fired a shot into the air as if to threaten him, police said.

The man was later identified as Richard Neales, 23, of Fairview Street. He was arrested Tuesday and was charged with assault

with a dangerous weapon, disorderly conduct and discharging a weapon near a dwelling.

He was arraigned yesterday and was released on personal recognizance on the condition that he stay away from the victim and the Bull's Eye Pub. He was also ordered to turn in his firearms identification card to the Lee Police. His case was continued until March 11 for a pretrial conference.

On Monday, another Lee man was arraigned on a charge that he threatened his brother with a shotgun at about 10 p.m. Saturday.

Troy Winters, 23, of Bradley Street was charged with assault with a dangerous weapon and disorderly conduct after an alleged incident at the Brookside Trailer Park, where he is a resident.

He allegedly had a confrontation with his brother Michael, 26, who lives in the same park. He was arrested, released on bail and appeared in court Monday to plead not guilty of the charges.

His case was continued to March 5 for a pretrial conference.

funeral home.

Berkshire Eagle 2/26/93
Robert J. Tarmey

LEE — Robert J. Tarmey, 35, of 249 E. Second St., New York City, formerly of Lee, died Monday at his home of an apparent heart attack.

Born in Pittsfield on March 19, 1957, son of the late Francis and Josephine Rotondo Tarmey, he grew up in Lee. He was a 1976 graduate of Lee High School.

Mr. Tarmey had been employed by the former Ida and John's Restaurant in Lenox from 1977 to 1979 and then moved to Deerfield Beach, Fla., where he worked at Pal's Restaurant. After he moved to New York City in 1983, he managed the Bloomsbury Restaurant from 1985-87 and the Blue Note from 1987-90. Since then, he had been booking agent at the Palm House at the Botanical Garden.

He leaves two brothers, William Tarmey of Stoneham and Edward M. Tarmey of Lighthouse Point, Fla., and a sister, Mrs. Jeanne E. Gardiner of Belton, N.C.

The funeral will be Monday at 1 at Kelly Funeral Home. Burial will be in St. Mary's Cemetery.

Calling hours will be Monday from noon until the service.

MARKETPLACE

Apprehensive Lee merchants quiz Wal-Mart

By Derek Gentile
Berkshire Eagle Staff

LEE — In a session that seemed to create more questions than it settled, a total of 60 local merchants met with the developers of a proposed Wal-Mart shopping complex on Route 102 yesterday afternoon at the Veterans of Foreign Wars building in South Lee.

Pioneer Development Corp. of Syracuse, N.Y., will be constructing the shopping complex if the Bentonville, Ark.-based Wal-Mart decides to locate a branch in South Lee. Several Pioneer representatives attended the meeting. There were no representatives from Wal-Mart.

Wal-Mart has been described as one of the fastest-growing retail

operations in the country. Its plans for Lee include a 141,000-square-foot Wal-Mart and supermarket on a 30-acre site on Route 102. The Salinetti family owns a total of 20 acres on Route 102, and Wal-Mart is currently negotiating with them to purchase that tract.

The other 10 acres, situated in front of a water tower, is owned by the town. The sale of that parcel would require a two-thirds vote of the town representatives. In addition, Wal-Mart would have to obtain a special permit to locate the store on the property, part of which is zoned for residential use.

The initial announcement of the coming of the shopping complex to the town elicited some

approval from town officials, who see more jobs and an expanded tax base. It also generated apprehension from residents, particularly the small-business owners on Main Street, who fear that a Wal-Mart would drain the downtown of its vitality and unique character.

Yesterday, the developers offered the audience a brief slide show depicting other developments the company has done and discussed Pioneer's policy of working with communities when building a project.

Many members of the audience, however, were more interested in the specific plans Wal-Mart had for Lee and Berkshire County. Most of those questions went unanswered.

The Pioneer representatives "were very nice," said chamber president Mary K. Bradbury. "They gave us an overview of their company and tried to answer all the questions they could, but the questions most people had were about Wal-Mart, not Pioneer, and they couldn't answer most of those."

"Yeah, it seemed to cause more confusion than it settled," admitted state Rep. Christopher J. Hodgkins, D-Lee, after the meeting. "A lot of the people that came today didn't really have questions about the development of the site, but about Wal-Mart."

Among those questions were why Lee had been chosen as a site, whether Great Barrington was still a viable site, why Wal-

Mart had apparently decided that the county needed three stores (the company is building one store in North Adams and is also negotiating for a site next to the Berkshire Mall in Lanesboro) and why the company seems to think there is a surplus of retail dollars in Berkshire County.

"The point is," said one merchant, "that if there isn't a surplus, then it will eat into the earnings of people already here. I, for one, don't think there are a lot of extra dollars floating around."

Pioneer representative Kevin Kane did emphasize to the audience that, because of the necessity of town approval for the sale of the town-owned land, Wal-Mart would not be able to locate in Lee unless the town wished it.

D

Saturday, February 27, 1993

developer

DeLuca warns merchants to take steps now to help soften the blow of a Wal-Mart. He said the better prepared merchants are to compete when Wal-Mart comes to town, the more likely the town's Main Street can survive.

will bring employment into the area, but it's minimum wage. They're going to tell you that people will save millions of dollars," he said.

DeLuca warned that even if the town residents fight Wal-Mart, the company will just put up the store in a neighboring town or area and Lee won't get any of the sales tax revenues.

"What I'm really saying is to focus the merchants on surviving rather than chasing goose feathers."

Wal-Mart officials have emphasized that they would need all 30 acres to construct the combined Wal-Mart and supermarket complex, adding that one would probably not be built without the other.

The meeting was attended by professionals from across the business spectrum; in addition to small retailers, a number of contractors, innkeepers, hotel operators, doctors and lawyers were present.

"I was glad to see the interest," said Bradbury. "I think that if nothing else, Wal-Mart got a clear image that there are a lot of people in Lee who are interested in their plans. We should be getting more information — but from Wal-Mart, not the developers."

Continued from A1
DeLuca. He said Wal-Mart will not change its operations just because of the complaints and concerns of the Town of Lee.

"Whatever you ask him, whatever you tell him, the guy is just going to say don't worry," DeLuca said, when asked what the merchants should ask the representative of Pioneer Development Corporation when he comes to Lee March 1.

"They're going to build the store. They're going to tell you that they

SPORTS



Craig F. Walker / Berkshire Eagle Staff

Wahconah's John Higuera gains control of the loose ball as Drury's Joe Vereschi hits the deck during yesterday's

Western Mass. Division 2 boys' basketball quarterfinal game in Dalton. The top-seeded Warriors won, 70-43.

Four county hoop teams advance

Greylock, Lee girls gain semis

By Brian Sullivan
Berkshire Eagle Staff

Lee survived an unusual flat effort and Mount Greylock rebounded from a poor start to advance yesterday in quarterfinal action of the Western Mass. girls' basketball tournament.

WM Girls' Hoop

In Division 3, the third-seeded Wildcats hosted No. 6 Lenox and came away with a hard-fought 53-42 victory. Lenox was the defending Division 3 state champion. Also in Division 3 yesterday, top-seeded Frontier earned a 62-28 win over No. 9 Mount Everett.

In Division 2, the 11th-seeded Mounties earned a come-from-behind 46-39 victory over No. 3 Hampshire Regional.

In Division 1, Agawam scored a decisive 69-50 win over Pittsfield.

Lee 53, Lenox 42

LEE — The Wildcats, bothered with illness, had an edge in talent. But it was the Millionaires who won the hustle game yesterday.

"The Lenox team showed why they were the state champions last year," Lee coach Tom Cinella said. "But all in all we're pleased. We led by eight at the half, and the kids still had the look like they could win the game."

The reason Lee had an eight-

GIRLS, continued on C3



Bob McDonough / Berkshire Eagle Staff

Soaring across the lane, Lee's A.J. Skowron (21) is fouled as she puts up a shot during yesterday's Western Mass. Division 3 girls' basketball quarterfinal in Lee. Others in photo are Lee's Kasey McManmon (32) and Lenox's Sherry Zabian (13) and Michelle Maturevich (22).

Wahconah, Lee boys move on

By Howard Herman
Berkshire Eagle Staff

The boys' basketball express to the Springfield Civic Center is ready for boarding, but the bus won't be full.

WM Boys' Hoop

Berkshire County champion Wahconah Regional and Lee are the only teams with tickets punched to the Western Massachusetts semifinals. The top-seeded Warriors rolled past No. 8 seeded Drury 70-43. Wahconah will face No. 4 Palmer in the semifinals, after Palmer beat East Longmeadow Friday.

In Division 3, fifth-seeded Lee held off No. 4 Hampshire Regional 56-52 in Westhampton last night. The Wildcats will play top-seeded Smith Academy, a 52-50 winner over No. 8 Gateway Tuesday at the Civic Center.

St. Joseph's, seeded second in Division 3, was upset by No. 7 Mohawk Trail Regional 67-63 last night at the Pittsfield Boys' and Girls' Club, despite a career-high 30 points by St. Joe's Keith Tierney.

The Division 1 dreams of Taconic crashed and burned last night, as Springfield Central routed the Braves 104-52.

Wahconah 70, Drury 43

DALTON — Conventional wisdom has it that the third time two

BOYS, continued on C3

Greylock, Lee girls gain semis

■ GIRLS, from C1

point halftime lead (27-19) was a 10-2 spurt at the end of the first stanza that broke a 17-17 tie. Terri Lecomte hit a jumper for Lenox to tie the game at 17 with about 2:30 left in the half. But Sarah Blaisdell (game-high 20 points) had four foul shots while Kasey McManmon, Kelsey Scarpa and Allison Forfa each added hoops to break the game open.

With Scarpa scoring six points, Lee went on a 14-6 run to start the second half to up the lead to 41-25.

Game over? Not quite.

Lenox rallied behind Shannon Hoff and Michelle Maturevich to go on a 10-2 run that cut the Lee lead to 43-35 with 6:20 remaining. Zabian then missed a runner down the lane that would have cut the Lee lead to six points. Forfa answered with a jumper and Blaisdell scored off a steal to give Lee a 47-35 edge with about five minutes left.

But Hoff hit a basket and Zabian buried a trey to get Lenox within 47-40. Lee responded behind Forfa and Blaisdell, who each scored to give Lee a 51-40 lead with one minute left in the game.

"We missed a few layups early in the game," Lenox coach Gene Peters said. "And against Lee, you have to make those kind of baskets. But we played them the way we wanted. We attacked the basket against their press."

Maturevich led Lenox with 13 points while Scarpa added 13 points and six assists for Lee. Blaisdell led both teams with eight steals.

Stopped from behind is Drury's Aaron Dupuis, foreground, who finds the ball batted away by Wahconah's Jerry Lamb during yesterday's Western Mass. Division 2 basketball quarterfinal in Dalton.

Craig F. Walker / Berkshire Eagle Staff

Wahconah,

■ BOYS, from C1

teams meet, the harder it is for one team to sweep. Conventional wisdom has never met the Wahconah Warriors.

The Warriors, who scored a pair of easy wins over Drury during the regular season, outscored the Blue Devils 40-20 in the second half to win going away.

"I told the kids you beat them two times," Wahconah coach Ed Ladley recalled. "You just go out and do the job you did the first two times."

Brian McGovern, who scored 26 points in a 64-41 win over Drury on Feb. 13, went two better yesterday, scoring a game-high 28 points. The senior guard hit seven three-point baskets, and was 7-of-10 from long range. The seven treys is a 1992-93 Berkshire County best.

"I just wanted the ball," said the ever-confident McGovern, whose performance Ladley praised. "I didn't even want to go past the three-point line. At half-time, I had three and I knew I could come out and get three more."

McGovern broke a scoreless tie with a trey nearly two minutes into the first half. Wahconah scored the game's first eight points, weathered a pair of Drury spurts, and led 30-23 at halftime. At one point, Wahconah was 1-of-7 from the field, scoring two points in 5½ minutes, but Drury couldn't get the lead.

The two teams traded baskets early in the second half, but with 10:24 left to play, Wahconah exploded for a 20-2 run that salted the contest away. McGovern started the run with two consecutive treys and Jerry Lamb (17 points) closed it by rebounding John Higuera's missed shot. McGovern had 17 points in the second half. Chris Noel scored 13 points, Lamb had 10 rebounds and five assists, while McGovern dished seven assists.

Chip Manuel led Drury with 17 points and Aaron Dupuis added 11.

Lee 56, Hampshire 52

WESTHAMPTON — Senior Jason Bliss stepped up in the Wildcats' preliminary round win, and last night, another senior took his turn.

Ben Biron scored a career-high 11 points, and Wildcat coach Matt Capeless said that's a good sign for his team.

"The seniors just want to keep playing. When the seniors step up, how can the underclassmen not follow along?" said Capeless. "We're not allowing ourselves to lose."

This game was in doubt from the opening tipoff. Hampshire jumped out to a 6-0 lead, but Lee battled back to take a 26-24 half-time advantage. The home team threatened several times in the second half, but couldn't get over the hump.

Lee held a 54-49 lead with eight seconds left in the game, when Hampshire's leading scorer Nate Stahl was fouled on a three-point attempt. He converted all three foul shots, and Hampshire had to foul quickly. Jeff Puleri was the

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Lee advance

target, and Lee's top scorer (22 points) calmly bagged both ends of a 1-and-1, accounting for the 56-52 final score.

The Wildcats were plagued by horrible foul shooting in the first half, going 1-for-8. But they went 9-of-12 in the second half, many coming in the stretch drive.

"We just gutted it out and held on every time they threatened," Capeless added.

